



FEDERAL BUREAU OF INVESTIGATION

DR. WILHELM REICH

PART 5 OF 6

BUFILE:105-111461

SECTION 2

DR. WILHELM REICH

105-111461

Section 2

Assistant Attorney General (original and 1)
Warren Olney III

June 24, 1955

Director, FBI

190-15154-35

321 pp.

**WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)**

This Bureau, on June 17, 1955, received a telegram dated June 17, 1955, from William Moise, Secretary, Weather Control, Orgone Institute, Bangsley, Maine, which read as follows: "Moscow directed conspirators are trying to obtain information in U. S. Weather Control through New Hampshire Food and Drug Administration Inspectors by dragging subversively our New York Weather Operator Michael Silvert MD and Assistant Magistrate before Magistrate D A.M. today - June 17. Operator ordered to withhold any technical data. Can anything be done to stop them?" The Orgone Institute is identical with the Wilhelm Reich Foundation. No investigative action is contemplated by this Bureau with respect to this telegram.

With respect to this organization, this Bureau, in 1950, conducted an investigation which failed to disclose any activity which would be contrary to the security of the United States. A copy of the report of Special Agent [redacted] dated October 13, 1950, at Boston, reflecting the results of this investigation, is enclosed. In the past, numerous telegrams and letters signed by Moise and other officers of this Foundation have been received by this Bureau. These communications contained details of the work of the Foundation and complaints of a conspiracy against the Foundation.

On June 22, 1955, Mr. John T. Grigsby of the Criminal Division telephonically advised a representative of this Bureau that the United States Attorney, Boston, had orally indicated that he had learned of the receipt by this Bureau of a telegram from the Wilhelm Reich Foundation. According to Mr. Grigsby, the United States Attorney had asked if Mr. Grigsby could obtain a copy of this telegram to

Enclosure (1)

NOTE: Cover memo from Mr. Belmont to Mr. Boardman prepared on 6/24/55 by JFW and under above caption re this outgoing mail.

JUN 28 1955

Y L... (6)

RECEIVED
COMM. FBI

RECEIVED
11/11

- Mr. Tolson
- Mr. Boardman
- Mr. Nichols
- Mr. Belmont
- Mr. Ladd
- Mr. Clegg
- Mr. Glavin
- Mr. Harbo
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Gurnea
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn
- Mr. Nease
- Mr. Gandy

**Memorandum for Assistant Attorney General
Warren Olney III**

be used in a case involving one Michael Silvert, mentioned in the telegram. Mr. Grigsby advised our representative that he intended to request the United States Attorney to indicate his wishes in a letter to the Department. Mr. Grigsby also advised that he would request the United States Attorney to include in this letter his specific reasons for wanting the telegram and his intended use of it.

On June 23, 1955, our Boston Office advised that United States Attorney Peter Mills had requested by the morning of June 24, 1955, a statement from us to the effect that the telegram of June 17, 1955, was, in fact, received from Moise. Mr. Mills also requested to be furnished at the same time the contents of the telegram along with any other information contained in other communications sent by Moise to this Bureau. When recontacted on June 23, 1955, Mr. Mills stated that in 1954, the United States Government obtained an injunction against the Foundation to prevent interstate shipment of devices and literature put out by this group. He advised that at present the Foundation has pending in the United States District Court a motion requesting a stay of part of the injunction pending outcome of a certiorari appeal to the United States Supreme Court. This motion is scheduled for hearing on June 24, 1955. Mr. Mills was furnished the contents of the telegram.

Mr. Mills stated that he had requested the telegram at the insistence of an attorney for the United States Food and Drug Administration named Maguire who learned of its existence through a confidential source. According to Mr. Mills, Maguire, who will handle the argument against the Foundation, desires to introduce the telegram into evidence to show the Foundation's bad faith by attempting to have the Department of Justice and the Federal Bureau of Investigation intervene in state proceedings involving personnel of the Foundation. Mr. Mills advised that he is of the opinion that the introduction into evidence of this telegram will not

**Memorandum for Assistant Attorney General
Warren Olney III**

greatly affect the arguments or the outcome of the case; consequently, the argument of the motion will not be delayed pending receipt of the telegram, according to Mr. Mills. Mr. Mills stated that he feels that the request for the telegram is a routine matter; however, he still desires the telegram for future possible use.

This Bureau is furnishing a copy of the telegram of June 17, 1955, to our Boston Office for transmittal to Mr. Mills, at which time Mr. Mills will be requested to advise how he contemplates using this telegram.

105-11461

cc - 1 - Assistant Attorney General (Enclosure - 1)
William F. Tompkins

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. L. V. BOARDMAN

DATE: June 24, 1955

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
 Sizoo
Winterrowd
Tele. Rm.
Holloman
Gandy

FROM : A. H. BELMONT

SUBJECT: WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)

1955
W.R.F.
Bridgman
7/1

SYNOPSIS:

Bureau, on 6-17-55 received telegram from William Moise, Secretary, Weather Control, Orgone Institute, Rangeley, Maine, which reads as follows: "Moscow directed conspirators are trying to obtain information in U. S. Weather Control through New Hampshire Food and Drug Administration Inspectors by dragging subversively our New York Weather Operator Michael Silvert MD and Assistant Magravite before Magistrate 9 A.M. today June 17. Operator ordered to withhold any technical data. Can anything be done to stop them?"

Bureau files reflect that Orgone Institute is identical with captioned Foundation and is a pseudo-scientific laboratory specializing in cancer research. Our investigation of this organization in 1950 disclosed no activity harmful to security of United States. On 2-10-54, the Attorney General announced the filing of a complaint seeking a permanent injunction to prevent interstate shipment of devices and literature put out by this group. The devices were misbranded under Food, Drug and Cosmetics Act because of false and misleading claims. Numerous telegrams and letters signed by Moise and other officers of the Institute, alleging a conspiracy against the Institute and furnishing details of its work have been received by the Bureau in the past.

On 6-22-55, Departmental attorney Judson W. Bowles contacted Mr. Rosen's office and stated that the Criminal Division had been advised by the United States Attorney, Boston, that the Orgone Institute had sent a telegram to the Bureau. Bowles requested that a Bureau representative cognizant of instant matter telephonically contact Departmental attorney John T. Grigsby re this matter. Grigsby was telephonically contacted by SA Wacks. Grigsby advised that since the United States Attorney, Boston, was interested in trying to establish whether Michael Silvert, mentioned in the telegram, was attempting to send these devices through the

105-11461
Enclosure

RECORDED-42

105-11461-55034 [2]

ticklers: Mr. Boardman
Mr. Belmont
Mr. Rosen
Mr. Wacks

INDEXED-42

2 JUN 29 1955 - 11:21 AM

0 JUN 30 1955

EX-126

JFW:rms:dmd (5)

3 - Wacks

Memorandum for Mr. Boardman from Mr. Belmont

mail, he, Grigsby, wanted to know whether he could get a look at ~~the~~ telegram and also whether he could tell the United States Attorney, Boston, what was in the telegram. When Grigsby stated that the United States Attorney would possibly use the telegram in a court proceeding, it was suggested to him that he put his request in a letter to the Bureau. Grigsby then said that he thought he would have the United States Attorney make his request for a copy of the telegram in writing to the Department, and it was suggested to Grigsby that the United States Attorney also include his reasons for wanting the telegram and his intended use of it. Grigsby agreed.

At 4:15 P.M. 6-23-55, SAC Powers of Boston telephonically advised Mr. McGuire that USA Peter Mills wanted a statement from the Director that the telegram had been received. He also wanted the contents of the wire and information in other communications sent the Bureau by the Foundation. I called ASAC Hargett during the evening of 6-23-55. In view of the innocuous nature of the telegram/since we do not want to be in the position of delaying desirable action by the Government, the contents of the telegram were read to Hargett and he was instructed to furnish same to Mills but I instructed him to ascertain to what use these data would be put by the Government and if they were to be used for evidentiary purposes, the reasons therefor. I also instructed him to determine the exact nature of the court proceedings. Hargett was told the Bureau had taken no investigative action on the telegram and contemplated taking no action.

By teletype 6-24-55, Boston advised that Mills on recontact stated that Foundation has pending a motion to be argued 6-24-55 in US District Court requesting stay of part of injunction pending outcome of an appeal to Supreme Court. Mills stated he requested telegram at insistence of an attorney for U. S. Food and Drug Administration named Maguire who will handle argument against Foundation. Maguire desires to introduce telegram into evidence to show Foundation's bad faith by attempting to have Department of Justice and FBI intervene in State proceedings involving personnel of Foundation. Mills of opinion introduction of telegram will not greatly affect argument or outcome of case and argument will not be delayed pending receipt of telegram. Mills feels request for telegram a routine matter; however, he still desires telegram for future possible use.

RECOMMENDATIONS:

1. That Boston be furnished a copy of telegram with instructions to give it to Mills at the same time ascertaining

SAC, Boston (100-22860) (original and 1) June 24, 1955

Director, FBI (105-11461)

**WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)**

Reurtel 6/22/55.

Furnish enclosed copy of telegram from
William Noize, 6/17/55, to United States
Attorney Peter Mills pursuant his request. Upon
delivery, ascertain exactly how he intends to use
telegram.

JWW
Enclosure (1)

COMM - FBI
JUN 2 1955
MAILED 23

NOTE:

attached & Plan
Cover memo from Mr. Belmont to Mr. Boardman
prepared on 6/24/55 by JFW:dmd under above
caption re this outgoing mail.

JFW:rmw

(4)

RECORDED-45

601 - Y

1955

- Telecom _____
- Boardman _____
- Nichols _____
- Belmont _____
- Mohr _____
- DeLoach _____
- Clegg _____
- Glavin _____
- Ladd _____
- Tracy _____
- Harbo _____
- Quinn Tamm _____
- Nease _____
- Gandy _____

527
50 JUL 1 1955

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 24 1955
TELETYPE

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Harbo	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Sizoo	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

WASHINGTON 2 FROM BOSTON

6-24-55

3-08AM

DIRECTOR FBI ATTN ASST. DIRECTOR BELMONT

URGENT

U. S. VS. WILHELM REICH FOUNDATION ET AL CIVIL MATTER. REBU PHONE CALL TO BOSTON JUNE TWENTY THIRD LAST. MATTER DISCUSSED WITH USA PETER MILLS, PORTLAND, ME. IN ACCORDANCE WITH INSTRUCTIONS RECEIVED FROM ASST. DIR. BELMONT. USA MILLS ADVISED THAT JUDGE CLIFFORD, USDC, PORTLAND, ME., ISSUED AN INJUNCTION DURING MAY, NINETEEN FIFTY FOUR AGAINST THE WILHELM REICH FOUNDATION WHICH SUIT WAS INSTITUTED BY THE U.S. FOOD AND DRUG ADMINISTRATION. REICH FOUNDATION HAS PRESENTLY PENDING IN USDC A MOTION REQUESTING A STAY OF PART OF INJUNCTION PENDING OUTCOME OF CERTIOARI APPEAL TO U.S. SUPREME COURT. MOTION SCHEDULED FOR HEARING ON JUNE TWENTY FOUR INSTANT. MILLS TOLD OF EXISTANCE OF TELEGRAM FROM WILLIAM MOISE, TO DIRECTOR, FBI, IN JUNE SEVENTEEN LAST BY ONE MAGUIRE, (NAME UNKNOWN) FNU, AN ATTORNEY FOR U.S. FOOD AND DRUG ADM. MAGUIRE LEARNED OF TELEGRAM TO BUREAU THROUGH CONFIDENTIAL SOURCE. TELEGRAM IS ONE OF SEVERAL SUBMITTED TO VARIOUS FEDERAL AGENCIES. MAGUIRE DOES NOT DESIRE TO SUBMIT TELEGRAM FROM WESTERN UNION BECAUSE IT WOULD DISCLOSE HIS CONFIDENTIAL SOURCE. MILLS STATED FOOD AND DRUG ADM. FIRST REQUESTED THE TELEGRAM WHICH WAS SENT TO THE DIRECTOR BY CONTACTING ONE GRIGSBY, FNU, CRIMINAL DEPT OF JUSTICE, CHIEF OF ADMINISTRATIVE REGULATORY SECTION. GRIGSBY TOLD FOOD AND DRUG ADM. TO HAVE USA MILLS REQUEST INSTANT TELEGRAM

RECORDED-99

JUN 28 1955

SEND PAGE ONE

Mr. Belmont

memo to Boardman 6/24
memo to O'Keefe & Tompkins 6/24
memo to Boardman 6/24

374365

BOSTON

DIRECT FROM DEPT OF JUSTICE OR THROUGH BS OFFICE OF FBI. MILLS
 SUBMITTED HIS REQUEST TO FBI, BS. BECAUSE HE FELT MATTER WOULD BE MORE
 EXPEDITIOUSLY HANDLED. MILLS REQUESTED INSTANT TELEGRAM AT INSISTANCE
 OF MAGUIRE WHO WILL HANDLE ARGUMENT ON REICH FOUNDATION MOTION AND
 WHO DESIRES TO INTRODUCE TELEGRAM IN EVIDENCE TO SHOW PETITIONERS
 BAD FAITH BY ATTEMPTING TO HAVE THE DEPARTMENT OF JUSTICE AND FBI
 INTERVENE IN STATE PROCEEDINGS INVOLVING PERSONNEL
 OF REICH FOUNDATION. TELEGRAM ALSO DESIRED TO SHOW PETITIONERS LACK
 OF COMPLIANCE WITH FOOD AND DRUG REGULATIONS AND COURT ORDERS.
 MILLS OF OPINION THAT INTRODUCTION OF TELEGRAM TO DIRECTOR WILL NOT
 GREATLY AFFECT ARGUMENTS OR OUTCOME OF CASE. CONSEQUENTLY ARGUMENT
 OF MOTION WILL NOT BE DELAYED PENDING RECEIPT OF TELEGRAM REQUESTED.
 MILLS FEELS REQUEST FOR TELEGRAM A ROUTINE MATTER BUT SINCE MAGUIRE
 OF FOOD AND DRUG ADM. ATTACHES SO MUCH IMPORTANCE TO HAVING TELEGRAM
 INTRODUCED IN EVIDENCE AND USED IN HIS ARGUMENT HIS REQUEST WAS SUBM
 MILLS STILLS DESIRES TRANSMISSION OF TELEGRAM FOR POSSIBLE FUTURE
 USE EVEN THOUGH THERE MAY NOT BE TIME FOR IT TO ARRIVE TO BE PRESENT
 AT HEARING ON JUNE TWENTY FOUR INSTANT.

POWERS

END ACK PLS

CORRECTION LINE 19

~~LINE 10 WRD 9 SHD BE DIRECTOR~~

~~LINE 15 FIRST WRD MILLS~~

ACK PLS

CC: MR. BELMONT
 AND ~~MR. TOLSON~~
 DOM. INTEL. DIVISION

WA BS R 2 WA KW

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson *[Handwritten initials]*

DATE: June 23, 1955

FROM : *[Redacted]* L. B. Nichols *[Handwritten initials]*

SUBJECT:

Tolson	
Boardman	
Nichols	
Belmont	
Mohr	
Parsons	
Rosen	
Tamm	
Sizoo	
Winterrowd	
Tele. Room	
Holloman	
Gandy	

SAC Powers of Boston telephonically advised my office at 4:15 p.m. today that U. S. Attorney Peter Mills, Portland, Maine, had just contacted the Boston office regarding a telegram sent to the Director June 17, 1955, by William Moise, secretary of Weather Control, Orgone Institute, Maine, which wire allegedly indicated that there was a Moscow conspiracy to get information on the U. S. Weather Control by the New York Food and Drug Administration. Mr. Mills indicated that there was to be a hearing in Federal Court tomorrow in the civil case U. S. vs Wilhelm Reich Foundation, et al., and the hearing involves an injunction against the Wilhelm Foundation prohibiting transportation of certain medicines reportedly to be a cure for cancer. Powers stated that he understands a number of doctors have filed petitions to stay the injunction and that allegations are being made that some of the factory people involved in the case are refusing to allow Food and Drug Inspectors in to make inspections of the plant.

Mills requested Powers to advise the Bureau that Mills wanted a statement from Mr. Hoover that the telegram from Moise was, in fact, received and to set forth the contents of the wire along with any other information he understands Moise has sent other communications to the Bureau. Mills advised Powers he thought this case was being handled by John Grigsby of the Criminal Division and further stated that the purpose of his requesting the statement from the Director regarding the telegram was to show that these people are not acting in good faith.

Supervisor Wacks of the Domestic Intelligence Division has been contacted and advised that he was handling the matter currently with Mr. Grigsby and had in preparation at the moment a letter to the Boston office and a memorandum to the Department concerning other aspects of this case. He advised that he would take immediate action tonight on SAC Powers' telephone call.

cc: Mr. Boardman
 Mr. Belmont, attn. Mr. Wacks

JJM:arm
 (4)

[Handwritten initials]

105-1055-1055

[Handwritten notes and stamps]
 RECORDED-96
 INDEXED-96
 E-109
 64 JUN 24 1955

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 28 1955

TELETYPE

BOSTON 3 NEW YORK 17 FROM WASH DC 28 11-45 PM

SACS URGENT

WILLIAM MOISE, INFORMATION CONCERNING. RENVTEL TODAY. BS SHOULD NOT INTERVIEW WILLIAM MOISE AT THIS TIME. NY SHOULD ADVISE USA LUMBARD THAT USA PETER MILLS, PORTLAND, MAINE, IS HANDLING CASE AGAINST WILHELM REICH FOUNDATION, AKA ORGONE INSTITUTE, AND SUGGEST THAT LUMBARD CONTACT USA MILLS RE MOISE DASH S LETTER.

HOOVER

END AND ACK

BS WA R 3 BS EFH

NY WA R 17 NY PHH

TU DISC

To: COMMUNICATIONS SECTION. JUNE 28, 1955

3755 URGENT

Transmit the following message to: SACS: BOSTON
NEW YORK

~~WILLIAM MOISE~~, INFORMATION CONCERNING. RENITEL TODAY. BS SHOULD
NOT INTERVIEW WILLIAM MOISE AT THIS TIME. NY SHOULD ADVISE USA
LUMBARD THAT USA PETER MILLS, PORTLAND, MAINE, IS HANDLING CASE
AGAINST WILHELM REICH FOUNDATION, AKA ORGONE INSTITUTE, AND
SUGGEST THAT LUMBARD CONTACT USA MILLS RE MOISE DASH S LETTER.

HOOVER

FW:jdd
(5)

NOTE ON YELLOW:

Moise is Secretary of Wilhelm Reich Foundation, aka
Orgone Institute, Rangley, Maine. Numerous communications
previously received from Moise and other officials of Foundation
furnished details of its work and alleged conspiracy against
Foundation. Foundation in a pseudo-scientific organization
engaged in cancer research. It has been discredited by the
New Hampshire Food and Drug Administration as well as by U. S.
Food and Drug Administration. At present, a U. S. injunction is
outstanding enjoining Foundation from sending its literature and
devices through the mails. Foundation now fighting injunction.
Bufile reflects recommendation that no communication be acknowledged
from Foundation with respect to injunction. In view of past
correspondence from Moise and others in this organization as well
as their reputations, it is not believed that any action should
be taken with respect to this man's specific allegation.

EX-100

RECORDED-74

INDEXED-74

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Rm. _____
- Holloman _____
- Gandy _____

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 28 1955

TELETYPE
SENT VIA

11-45 PM

Per

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-11461)

DATE: July 14, 1955

FROM : SAC, BOSTON (100-22860)

SUBJECT: ~~REDACTED~~
WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)

ReBulet to Boston 6/24/55.

The telegram enclosed with the referenced Bureau Letter was furnished PETER MILLS, United States Attorney, Portland, Maine on June 29, 1955.

Mr. MILLS advised that he contemplated no immediate use as the hearing where he planned to use it had been held, and the matter was disposed of.

He stated that if at some future time the subject matter of the telegram becomes pertinent, he will utilize it, but first advise this office of its contemplated use.

JVG:AAC

RECORDED-29

105-11461-6

EX-113

2 JUL 18 1955

JUL 23 1955

APP-SEC

37554

Date: July 13, 1955

To: Commissioner
Food and Drug Administration
Room 3460
Department of Health, Education and Welfare
Fourth Street and Independence Avenue, Southwest
Washington 25, D. C.

From: John Edgar Hoover, Director, Federal Bureau of Investigation

Subject: WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

Reference is made to my letter to you dated September 24, 1954, captioned "Orgone Institute Press, Publishing House of the Wilhelm Reich Foundation, Post Office Box 153, Rangeley, Maine."

Enclosed are two copies of a telegram dated June 16, 1955, from Michael Silvert, M. D., 50 Grove Street, New York 14, New York, and two copies of certified letter number 185735 dated June 28, 1955, from Dr. Silvert. Neither of these communications, which are self-explanatory, has been acknowledged, and this Bureau contemplates no investigation in this matter.

For your information, copies of these communications have been made available to the Criminal Division of the Department of Justice and to United States Attorney Peter Mills at Boston, Massachusetts.

WMIN - FBI
JUL 14 1955
MAILED 29

RECORDED - 84

105-11106

27 JUL 15 1955

RECEIVED
JUL 13 5 29 PM '55

- Tolson
- Boardman
- Nichols
- Belmont
- Mohr
- Parsons
- Nease
- Callahan
- Conrad
- DeLoach
- Malone
- Rosen
- Sullivan
- Tavel
- Winterrowd
- Tele. Room
- Holloman
- Gandy

Enclosures (4)

NOTE: See Jones to Nichols memorandum dated July 11, 1955, captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning."

GEM:mbk

GEM:mbk

(4)

60 JUL 20 1955

Handwritten signature

Handwritten signature

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

ORGONE ENERGY MEDICAL [REDACTED] SUPERVISION

50 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-26

June 28, 1955

Federal Bureau of Investigation
Office of J. Edgar Hoover
Washington, D.C.

Gentlemen:

This is to advise you of another typically Moscow-directed development in the long series which have comprised the WILHELM REICH BIOGRAPHICAL MATERIAL; HISTORY OF THE DISCOVERY OF THE LIFE ENERGY (American Period, 1942-1954), Documentary Volume A-XII-EP, CONSPIRACY, an Emotional Chain Reaction, of which you have a copy. On June 14, 1955, at about 7:15 p.m., three men, without previous notice, called upon Mr. Thomas Mangravite at 25 West Third Street, New York City. The three men were:

1. Irving Feldman, U.S. Inspector #274 of the Department of Health, Education and Welfare, Food and Drug Administration
2. S. S. Schoonover, U.S. Inspector #293, same organization as above
3. David Zwirn, Inspector for the New York City Department of Health, Department of Food and Drugs

The three men presented a form of the U.S. Department of Health, Education and Welfare, Food and Drug Administration, signed by Irving Feldman, and addressed to Thomas Mangravite, Dr. Michael Silvert, 25-27 West Third Street, New York, N.Y. This form stated that it was a "Notice of Inspection." Mr. Zwirn stated that he was on a routine inspection for the New York City Health Department, while the two F.D.A. men claimed that they were concerned with a shipment in interstate commerce.

Mr. Zwirn, the City Inspector, asked Mr. Mangravite, "You're an ensign in the Naval Reserve, aren't you?" Mr. Feldman asked Mr. Mangravite how many "accumulators" he built, what literature was stored there, and what position in the "organization" Mr. Mangravite held. The three men were denied any authority and were refused the right to conduct any inspection of the premises. They pretended to drive away, then returned and remained parked outside in the street during that night and several days thereafter.

A report was filed by telephone by the undersigned with the New York Office of the F.B.I. on June 14, 1955, at 9:25 p.m. The agent on duty was Mr. J. J. Conway.

INDEXED-38 RECORDED-38
On June 15, 1955, at 11:00 a.m., two men came to Dr. Silvert's office at 50 Grove Street, New York 14, N.Y., again without advance notice, and refused to leave when Dr. Silvert asked them to. The two men were Abraham E. Ledder and William J. Conway, Jr., of the New York Office of the F.D.A. Mr. Ledder placed his hands so as to block the closing of the door, and when Dr. Silvert attempted to close the door, he said, "Watch out, if you hurt my foot, I'll sue you."

CRIME

June 28, 1955

Several of the cars used by these men in their surveillance of Mr. Mangravite were:

grey Chevrolet, license plate 3R907 CONN

2. A white Chevrolet, license plate HV269 U. S. Government
3. A black pontiac, license plate HV263 U. S. Government

After calling on Dr. Silvert, who refused to have anything to do with them, the two "F.D.A." imposters, Messrs. Ledder and Conway, went to Mr. Mangravite, and in formal manner presented him with a notice of inspection and took down in detail his refusal to grant them this authority, as instructed by me. These two men then assured Mr. Mangravite that they would watch him continually, make him uncomfortable and interfere with his personal life.

Dr. Silvert phoned the New York City Health Department on the morning of June 15, 1955, and spoke with Mr. Handelsman, supervisor of Mr. Zwirn, the inspector who had called on Mr. Mangravite the previous day. Mr. Handelsman said the New York City Health Department had no interest in the inspection of the premises, but at the request of the "U.S. Food and Drug Administration" had sent Mr. Zwirn along to accompany them. Later, Mr. Handelsman and Mr. Zwirn called back to arrange an inspection, which was refused. At this time, they frantically quoted various statutes and regulations, but could not overcome the fact, as first stated, that they had no lawful interest of their own in such an inspection.

On June 16, 1955, Dr. Silvert sent wires to the Federal Bureau of Investigation, Office of J. Edgar Hoover, Washington, D.C., and to the Commander, Air Force Technical Intelligence, Wright-Patterson Air Force Base, Dayton, Ohio. Later the same day, June 16, 1955, Dr. Silvert was visited by New York City Inspector David Zwirn and Supervisor Max Cohan, both of the Food and Drug Department of the New York City Department of Health. They again demanded the right to inspect the premises at 25 West Third Street, and gave no reason other than saying that they had been ordered to do so. When Dr. Silvert would not permit them, Mr. Zwirn issued a summons requesting that Dr. Silvert appear before the Magistrates Court on the morning of June 17, 1955 (the next morning) for violation of the sanitary code. This visit and summons were repeated with Mr. Mangravite.

Following this, Mr. Mangravite was visited by Mr. Ledder of the New York Office of the F.D.A., and Samuel Schwartz, Federal Marshall of the Southern District of New York, and given a copy of the injunction against Wilhelm Reich, M.D. in formal setting. Still later the same day, Mr. Mangravite was informed by friends in the factory across the street that much heavy photographic equipment had been installed in the factory for the previous three weeks and that photographs had been continually taken of people entering and leaving the building. Mr. Zwirn, the Health Inspector, as well as F.D.A. officials had been seen visiting this equipment.

On June 17, 1955, there were two hearings before the Magistrates Court in New York City on the summons issued the previous day. In the morning the Judge was at first adamant in insisting on immediate trial, but later granted a three-hour postponement to the afternoon. In the afternoon he again refused an adjournment but granted referral of the case to the Court of Special Sessions, where it is now pending. It should be noted that the City Health Official asked for bail to

June 28, 1955

"insure the merchandise." The Judge retorted that bail can only insure the person of the accused, and paroled Mr. Mangravite and Dr. Silvert on their own recognizance.

On June 20, 1955, Mr. Mangravite received a notice from F. L. Lofsvold, Assistant Chief of the District Department of Health, Education and Welfare, Food and Drug Administration, 201 Varick Street, New York 14, N.Y. The notice requested Mr. Mangravite's appearance at the F.D.A. Office on June 22, 1955, for information hearing on his "refusal" to permit inspection. On June 21, 1955, Dr. Silvert replied to Mr. Lofsvold, "You have no jurisdiction. Your Department is riddled with spies." The papers were returned. On June 22, 1955, Dr. Silvert received a letter from Mr. Lofsvold that two F.D.A. Inspectors, Conway and Ledder, would come to inspect records, ledgers, etc. in accordance with the injunction against Will Reich, M.D. They came promptly at 11:00 a.m. on June 23, 1955, and this time they were quite polite. They were not admitted and were given no information.

In addition, two patients, Lillian Okst of Port Jefferson, New York, and Norman Schnall of 42 Perry Street, New York City, were visited at their homes and questioned by F.D.A. Inspectors about their use of the orgone energy accumulator (the principle of orgone energy accumulation has developed according to that of the cloud-buster, i.e., the drawing off of DOR or stalemated energy from the organism. The accumulator has therefore developed into a Reich Medical DOR-Buster.)

Respectfully,

Michael Silvert

Michael Silvert, M.D.

SAC, Boston (100-22860)

July 13, 1955

RECEIVED-38
DIRECTOR, FBI (105-11461)

INDEXED-38

WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning
(Espionage)

107

ReBulet of June 24, 1955, captioned as above.

Attached are two copies of a telegram dated June 16, 1955, from Michael Silvert, M. D., 50 Grove Street, New York 14, New York, and two copies of a letter from him dated June 28, 1955. Both communications are self-explanatory and neither has been acknowledged.

You are instructed to have a representative of your office furnish one copy each of Dr. Silvert's letter and telegram to United States Attorney Peter Mills for his information. He should be advised that copies of these communications have been referred to the Criminal Division of the Department and to the Commissioner, Food and Drug Administration, Department of Health, Education and Welfare, Washington, D. C.

Enclosures (4)

cc - New York, with copy of each incoming.

COMM - FBI
JUL 14 1955
MAILED 3

NOTE: See Jones to Nichols memorandum dated July 11, 1955, captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning." GEM:mbk

- Tolson ✓
- Boardman ✓
- Nichols ✓
- Belmont ✓
- Harbo
- Mohr
- Parsons
- Rosen ✓
- Tamm
- Sizoo
- Winterrowd
- Tele. Room
- Holloman
- Gandy

707 12 5 22 6W.22 ✓

GEM:mbk
(5)

RECORDED

JUL 25 1955

Handwritten signatures and initials

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: July 11, 1955

FROM : M. A. Jones

Tolson
Boardman
Belmont
Clegg
Glavin
Harbo
Ladd
Malone
Parsons
Rosen
Tamm
Trotter
Winterrowd
Tele. Room
Holloman
Gandy

SUBJECT: WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

SYNOPSIS

The Bureau is in receipt of a certified letter dated June 28, 1955, from Michael Silvert, M. D., of Orgone Institute Research Laboratories, Inc., 50 Grove Street, New York 14, New York. Silvert alleges "another typical Moscow-directed development" in connection with the Wilhelm Reich Foundation on the part of representatives of the Food and Drug Administration (FDA), Department of Health, Education and Welfare. Silvert reports that FDA inspectors attempted to inspect the premises of the Orgone Institute Research Laboratories and have served summons to this effect. Silvert states he has refused the inspectors admission to the premises. He goes on in detail to report the steps taken by FDA and he mentions a telegram he sent to the Director on June 16, 1955. This telegram was not acknowledged inasmuch as it was recommended and approved in my memorandum to you of April 1, 1954, that communications from this organization regarding an injunction obtained by FDA not be acknowledged. On June 17, 1955, a telegram was received by the Bureau from another representative of Orgone Institute complaining about the activities of the FDA against Orgone Institute. This telegram was not acknowledged. On June 22, 1955, it was learned from the Criminal Division, Department of Justice, that U. S. Attorney, ^{Honorable Malcom} Boston desired copy of telegram of June 17, 1955, for use in a case involving Michael Silvert. In a memorandum to Assistant Attorney General Warren Olney III, with copy to Assistant Attorney General William F. Tompkins, information regarding the telegram of June 17 was set forth as well as pertinent information regarding Orgone Institute which is identical with Wilhelm Reich Foundation. This pseudo-scientific laboratory specializes in cancer research. Copy of the telegram June 17, 1955, was furnished to Boston Office for transmittal to U. S. Attorney.

RECOMMENDATIONS:

1. It is recommended that Dr. Silvert's letter of June 28, 1955, not be acknowledged.

Enclosures (3) *sent 7-14-55*

GEM:mbk
gem (5) *with [unclear]*

RECORDED - 23

100 - 11 - 11

11 JUL 20 1955

INDEXED - 23

58 JUL 21 1955

Memorandum to Mr. Nichols

July 11, 1955

2. It is recommended that the attached memorandum to Assistant Attorney General Warren Olney III, with copy to Assistant Attorney General William F. Tompkins, be sent for the purpose of furnishing copies of Dr. Silvert's communications, as well as for the purpose of keeping the Department informed of our action in this matter.

3. It is recommended that copies of Dr. Silvert's telegram of June 16, 1955, and letter of June 28, 1955, be furnished to the Commissioner, Food and Drug Administration, Department of Health, Education and Welfare.

4. It is recommended that a memorandum be sent to SAC, Boston for the purpose of furnishing a copy of Dr. Silvert's telegram of June 16, 1955, and a copy of his letter of June 28, 1955, to the U. S. Attorney at Boston. ~~Boston~~ Portland

SYNOPSIS COMPLETE
AND CONTAINS ALL
PERTINENT POINTS

CHJ

✓

W. J. ...

July 11, 1955

DETAILSINCOMING LETTER:

The Bureau is in receipt of a certified letter number 185735 dated June 28, 1955, from Dr. Michael Silvert which was written on the stationery of the "Orgone Institute Research Laboratories, Incorporated, 50 Gro e Street, New York 14, New York. In his letter Dr. Silvert advises of "another typical Moscow-directed development" in connection with the Wilhelm Reich Foundation activities. He alleges that two inspectors of the Food and Drug Administration (FDA) of the Department of Health, Education and Welfare, and an inspector from the New York City Department of Health called upon a representative of his organization for the purpose of inspection. A report of this activity was filed by telephone, according to Dr. Silvert, with the New York Office on June 14, 1955. The following day, two representatives of the Food and Drug Administration called on Dr. Silvert but were refused permission to inspect the premises.

On June 15, 1955, Dr. Silvert states he phoned the New York City Health Department and was advised that that department had no interest in the inspection of the premises but that at the request of the "U. S. Food and Drug Administration" had sent a representative along to accompany the inspectors from FDA

On June 16, 1955, Dr. Silvert reports he sent a wire to J. Edgar Hoover. On that same day, he was visited by two inspectors from the Food and Drug Department of the New York City Department of Health. He denied them the right to inspect the premises. Following this, Mr. Thomas Mangravite, 25-27 West Third Street, New York, New York, was visited by a representative of the New York Office of FDA and a Federal marshall of the Southern District of New York. He presented Mangravite with a copy of the injunction against the Wilhelm Reich Foundation.

On June 17, 1955, Dr. Silvert states there were two hearings before the Magistrates Court, New York City, on the summons issued the previous day. The first hearing resulted in a postponement and the second referred the case to the Court of Special Sessions where it is now pending. Mr. Mangravite and Dr. Silvert were paroled on their own recognizance.

On June 20, 1955, Mr. Mangravite reportedly received a notice from the FDA requesting his appearance at the FDA New York Office on June 22, 1955, for informal hearing on his "refusal" to permit inspection. On June 21, 1955, Dr. Silvert replied to FDA as follows: "You have no jurisdiction. Your Department is riddled with spies."

July 11, 1955

On June 22, 1955, Dr. Silvert received a letter from FDA indicating that two inspectors would come to inspect records, ledgers, et cetera, in accordance with the injunction against Wilhelm Reich, M. D. Dr. Silvert states that the inspectors arrived at 11:00 A. M. on June 23, 1955. They were not admitted and were given no information.

BACKGROUND:

Bufiles reflect that Orgone Institute is identical with captioned foundation and is a pseudo-scientific laboratory specializing in cancer research. Our investigation of this organization in 1950 disclosed no activities harmful to the security of the United States.

On February 10, 1955, the Attorney General announced the filing of a complaint seeking a permanent injunction to prevent interstate shipment of devices and literature put out by this group. The devices were misbranded under the Food, Drug and Cosmetic Acts because of false and misleading claims. Numerous telegrams and letters signed by officials of the Orgone Institute, alleging a conspiracy against the Institute and furnishing details of its work, have been received by the Bureau in the past. In my memorandum to you dated April 1, 1954, it was recommended and approved that communications from this organization regarding the injunction not be acknowledged.

By letter dated September 24, 1954, publications distributed by the Orgone Institute Press, publishing company of the Wilhelm Reich Foundation, were furnished to the Commissioner, Food and Drug Administration, Washington, D. C.

By telegram dated June 16, 1955, Dr. Michael Silvert, 50 Grove Street, New York 15, New York, advised that a Moscow-directed conspiracy against Wilhelm Reich was developing in New York City with Food and Drug Administration spies assisted by confused New York City Health Department officials to inspect and interfere with handling of the organomic literature and equipment. This telegram stated that a letter follows. Appropriate stops were placed but no letter was received as of June 21, 1955. In view of the fact that it had been previously recommended and approved that communications along this line not be acknowledged, this telegram was handled accordingly.

On June 17, 1955, the Bureau received a telegram from William Moise, Secretary, Weather Control, Orgone Institute, Rangeley, Maine, which was along the same line as Dr. Silvert's wire of June 16, 1955. In a memorandum from Mr. A. H. Belmont to Mr. L. V. Boardman dated June 17, 1955, it was recommended and approved that this telegram not be acknowledged.

Memorandum to Mr. Nichols

July 11, 1955

On June 22, 1955, Mr. John T. Grigsby of the Criminal Division, Department of Justice, telephonically advised that the U. S. Attorney, Boston, had ~~indicated~~ indicated that he had learned of the receipt by the FBI of a telegram from the Wilhelm Reich Foundation. U. S. Attorney desired to obtain copies of this telegram to be used in a case involving one Michael Silvert. On June 23, 1955, SAC, Boston advised that U. S. Attorney Peter Mills, ^{Portland, Maine} Boston, had requested a statement from him to the effect that the telegram of June 17, 1955, was, in fact, received from Moise. U. S. Attorney requested contents of telegram along with other information contained in other communications sent by Moise to the Bureau. U. S. Attorney Mills advised that the Wilhelm Reich Foundation had pending in the U. S. District Court a motion requesting the stay on part of the injunction pending outcome of a certiorari appeal to the U. S. Supreme Court. Contents of the telegram were furnished U. S. Attorney Mills.

In a memorandum to Assistant Attorney General Warren Olney III with copy to Assistant Attorney General William F. Tompkins, the above information was set forth. It was pointed out in this memorandum dated June 24, 1955, that a copy of the telegram of June 17 was being furnished to the Boston Office for transmittal to U. S. Attorney Mills.

In view of the interest on the part of the Food and Drug Administration and the U. S. Attorney at Boston in this matter, it is deemed advisable to send copies of the telegram of June 16, 1955, as well as this present communication from Dr. Silvert, to the Department, as well as both Food and Drug Administration and U. S. Attorney, ~~Boston~~ Portland.

Assistant Attorney General Warren Olney III

July 13, 1955

Director, FBI

WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

Reference is made to my memorandum to you dated June 24, 1955, captioned as above.

Enclosed are two copies of a telegram dated June 16, 1955, from Michael Silvert, M. D., 50 Grove Street, New York 14, New York, and two copies of certified letter number 185735 dated June 28, 1955, from Dr. Silvert which are self-explanatory. The letter and telegram have not been acknowledged, and this Bureau contemplates no investigation regarding this matter.

Copies of Dr. Silvert's letter and telegram are being forwarded to our Boston Office for transmittal to United States Attorney Peter Mills. Copies of these communications are also being furnished to the Commissioner of the Food and Drug Administration.

Enclosures (4)

cc - Assistant Attorney General William F. Tompkins, with copy of each enclosure

NOTE: See Jones to Nichols memorandum captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning," dated July 11, 1955. GEM:mbk

(105-11461)

- T. Tolson
- E. A. Tamm
- L. B. Nichols
- J. E. Hoover
- W. C. Sullivan
- R. L. Casper
- W. H. Clegg
- W. A. Glavin
- W. E. Ladd
- W. J. Mumford
- W. R. Pennington
- W. F. Tompkins
- W. G. Coker
- W. H. Rorer
- W. J. Connelley
- Miss Gandy

COMM - FBI
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JUL 13 1955
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gem

JUL 22 1955

DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson _____
Mr. Boardman _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Harbo _____
Mr. Mohr _____
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Jones _____
Mr. Sizoo _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Miss Holmes _____
Miss Gandy _____

RECORDED - 71
INDEXED - 11

SEP 14 1955

SEP 20 1955

WILHELM REICH
Biographical Material

HISTORY OF THE DISCOVERY
OF THE
LIFE ENERGY

Documentary Supplement No. 2

A-XII-EP

THE RED THREAD OF A CONSPIRACY



1955

ORGONE INSTITUTE PRESS

Orgonon, Rangeley, Maine

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Orgone Institute

Orgonon, Rangeley, Maine

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Limited Edition

No. **7!**.....

Printed in the United States of America

THE RED THREAD OF A CONSPIRACY
TO KILL AND DISCREDIT THE DISCOVERY OF COSMIC
ORGONE LIFE ENERGY AND ITS DISCOVERER, WILHELM
REICH, M.D., IN THE UNITED STATES OF AMERICA

Presented from the Archives of the
ORGONE INSTITUTE

by

Oranur Weather Control, EPPO.
(Emotional Plague Prevention Office)

William Moise, *Secretary*

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PREFACE

The primary objective in presenting the material on the "EMOTIONAL CONSPIRACY" is to bring to the attention of the US public institutions a problem of grave implication:

1. There is active in a ruinous manner an emotional force in average human beings which depth psychiatry has learned to subsume under IRRATIONALLY MOTIVATED ACTIVITY; in their totality human irrational acts amount to a true social disease of an infectious nature, as it were, the so-called "Emotional Plague."

2. The legal statute books of the USA do not contain anything that could cope with human irrational activities on the broad social scene.

A thoroughgoing examination of the authentic material underlying the compilation "RED THREAD OF A CONSPIRACY" may well help in coming to grips, finally, with a vast, dangerous, heretofore uncharted territory of human misery.

The immediate goal is to bring about serious consideration and legal formulation of the fact: IRRATIONAL HUMAN MOTIVATION IN SOCIAL ACTIVITIES. In this light, the judicial aspect of such a conspiracy is, from the point of view of social hygiene, of secondary importance though not entirely negligible.

INTRODUCTION

Basic Tenets on Red Fascism (1950)*

By WILHELM REICH, M.D.

1. Communism in its present form as RED FASCISM is not a political party like other political parties. It is politically and militarily armed ORGANIZED EMOTIONAL PLAGUE.

2. This organized political and armed emotional plague USES conspiracy and spying in all forms, in order to destroy human happiness and well-being, as does every single biopath with human happiness. It is not, as is usually assumed, a political conspiracy to achieve certain rational social ends, as in 1918.

3. If you ask a liberal or a socialist or a Republican what he believes in socially, he will tell you frankly. The Red Fascist will not tell you what he is, who he is, what he wants. This proves that HIDING is his basic characteristic. And only people who are hiding by way of their character constitution will operate in and for the CP. It is CONSPIRACY AND HIDING FOR ITS OWN SAKE and not to use as a tool to achieve rational ends. To believe otherwise will only lead to disaster.

4. Red Fascism as a special form of the emotional plague, uses its basic characterological tool, hiding ("CONSPIRACY"), "IRON CURTAIN," to exploit the identical emotionally sick attitudes in ordinary people. Thus the politically ORGANIZED EP uses the UNORGANIZED EP to gratify its morbid needs. The political aims are secondary to this, and mostly subterfuges for emotionally biopathic activities. Proof: The political ends are shifted according to the "political," i.e., EP needs of hiding and causing trouble from ambush.

5. The hiding, conspiring, conniving are there BEFORE any political goals are conceived, as draperies for the activities.

* PEOPLE IN TROUBLE, 1953, p. 158.

6. The sole objective of the conspiring is **POWER** with no special social ends. The subjugation of people's lives is not intended, but is a necessary and an automatic result of the lack of rationality in the organization and existence of the EP.

7. The organized EP relies upon and uses consistently what is worst and lowest in human nature, while it slanders, destroys and tries to put out of function all that threatens its existence, good or bad. A fact, to the EP is a fact only if it can be used to certain ends. It does not count on its own behalf, and there is, accordingly, no respect for facts. Truth is used only if it serves a special line of procedure or the general existence of the emotional dirtiness. It will be discarded as soon as it threatens or even contradicts such ends. Such an attitude toward fact and truth, history and human welfare is not specifically a characteristic of Red Fascism. It is typical of all politics. Red Fascism differs from other political disrespect for fact and truth in that it eliminates all checks and controls of the abuse of power and drives the nuisance politician to his utmost power. To believe that "peace negotiations" are meant as such is disastrous. They may and they may not be meant, according to the momentary expediency. RF is a power machine using the principle of lie or truth, fact or distortion of fact, honesty or dishonesty, always to the end of conspiracy and abuse of human malignancy.

8. No one can ever hope to excel the pestilent character in lying and underhanded spying. Espionage and counter-espionage may belong as part of present-day social administration: It will never **SOLVE** the problem of **SOCIAL PATHOLOGY**. **USING TRUTH** in human affairs will burst open the trap and the unsolvable entanglement of spying and counter-spying. In addition, it will be constructive in establishing the foundation for life-positive human actions.

THE ESSENCE OF THE CASE

Orgone Institute
Orgonon
Rangeley, Maine

May 18, 1955

Dear Doctor Baker:

Would you be kind enough to transmit the following message to whoever carries the responsibility for your legal action against the FDA. It should be obvious by now that the issue before the courts of the USA is new in its substance, that the statute books carry no provisions regarding the Emotional Plague. I would like to summarize briefly the true issues coming up before the Supreme Court:

1. Is it legally, morally, and factually, if *truth* should prevail, any longer possible that *THE MOTIVE* of a complaint should be kept out of the proceedings? In case of murder the motive is decisive. So it is, too, in the case of assault by psychopaths, acting and posing as bona fide government agents.
2. If the motive can no longer be overlooked, the question emerges whether it is any longer possible to exclude the irrational element from the legal procedure. Since the irrationality in human behavior is today acknowledged as powerfully active, it no longer can be excluded from the law if justice be done.
3. Is it permissible legally and morally that sick individuals, motivated by their own anxieties, very well known to us as physicians from our daily medical practice, should drag what they dislike into court, into a well prepared trap, under the pretext and disguise of bona fide government action?
4. Is it legally and morally excusable that such activity be taken over, even if innocently, by a court of justice, thus putting itself at the disposal of illegally motivated complaints? Is it, furthermore, admissible that such court action follow the line laid out by political, subversive hoodlums, subservient to a foreign power, in the execution of the task

of killing in the USA, for mere political reasons, a crucial discovery in medicine and natural science?

5. Is it true justice to omit the factual situation, to restrict the total issue to procedural, empty legalism, to force the public to believe that a device is *fraudulent* in the hands of A, but perfectly legal and *not* fraudulent in the hands of B, C, D, E, etc.? Is it sound judgment to follow in this screaming contradiction the criminal conspirators who are out to kill only the person WR ("ad personam")? Is the law to serve the facts, or are the facts to be twisted, falsified and otherwise distorted to serve empty procedural compulsion?

6. Is it morally and legally permissible that newly discovered facts be subjected to laws written into the statute books *before* there existed any knowledge of the nature of the unknown natural phenomena?

7. Has a court of law the right and authority to pass judgment on the validity of bona fide basic research in new territory? Has established opinion the right to decide what is *new* basic knowledge? Have established commercial interests the legal and moral right to kill discoveries by subversive, conspiratorial means?

8. Has a natural scientist the right to refuse to fall prey to such criminal activities on the part of emotionally sick individuals, by not appearing in court and by putting his trust in the judge's judgment? Or should the killing of scientists and pioneers by evil men continue forever unchallenged, unabated?

These are only a few of the issues before the Supreme Court of the USA, and not only whether the interests of a few physicians have been curtailed.

Sincerely yours,

Wilhelm Reich, M.D.

THE RED THREAD OF A CONSPIRACY

Presented from the Archives of
the Orgone Institute*

I wish to acknowledge the fact that I owe to Wilhelm Reich, M.D., my understanding of the Emotional Plague; and the knowledge of how the Organized Plague uses this to kill the knowledge of Life.

WILLIAM MOISE

During the years preceding 1939 Wilhelm Reich (WR) had been repeatedly attacked in Europe by what he termed "the Emotional Plague (EP), a disease of mankind," as he advanced through the various fields of psychoanalysis, sociology, and politics with a functional-energetic point of view (see PEOPLE IN TROUBLE). The "Red Fascists" (RF) had fought WR since 1930. In 1938 a vicious Norwegian newspaper campaign was launched against WR, upon instigation of Red Fascists, by Norwegian psychiatrists and pathologists following the publication of "Die Bione."

In 1939, upon invitation by the New School of Social Research to teach, WR transferred his work and laboratory to the USA, where it could be hoped that freedom of scientific inquiry was constitutionally guaranteed.

The following is a brief analysis of the conspiracy against Orgonomy in the USA. It is based on several volumes of documentary evidence from the archives of the Orgone Institute, concerning events connecting the first visit of WR to Einstein in 1910, to the present attempt to enjoin the total work by HIGS** in the Food and Drug Administration (FDA) (1954-55).

On study of the total material, there emerges the existence of an active, controlling force, hidden behind the scenes, hard to pin down in the open, but possessed of the intent to destroy, discredit and distort the science of Orgonomy in public, and Wilhelm Reich as a person.

* Wilhelm Reich, Biographical Material, History of the Discovery of Life Energy, Documentary Volume A-XII-EP, Volume I: American Period 1912-54 "Conspiracy, an Emotional Chain Reaction." (Referred to as I-) Volume II: Being prepared for publication. (Referred to as II-).

** HIG: Term originated by WR - Hoodlum In Government.

As revealed by WR, the basic motive of this Emotional Plague is the murder of the knowledge of life, which is the "Murder of Christ."¹ In Red Fascism the Emotional Plague of mankind takes on an organized, social form.² (I-388A, B) The agents of "Moscow Modju"³ (I-381A) are directed to start the attack on Orgonomy⁴; they throw the match, and the emotionally diseased structure of society catches fire. The conflagration is fanned and kept stoked by Red Fascists behind the scenes,⁵ well hidden, awfully hard to expose in the open, protected everywhere by each person, who himself carries the Emotional Plague Disease, so that much of the evidence can be only indirectly deduced from coherent events. (I-478, 418A, 405A)

In the winter of 1940-41 WR brought his discovery to the attention of Albert Einstein.⁶ Typically, the first response was serious interest. This was followed, prompted by the arguments of an assistant, Leopold Infeld, suddenly, by irrational arguments, then silence. This behavior on the part of a responsible leading scientific thinker of the 20th century could not be understood at the time, until it was learned (1950) that the assistant revealed himself by going to Red Poland to teach physics (I-405A), after having blocked Einstein.

In December 1941 (I-9) WR was suddenly detained at Ellis Island by the FBI, as an enemy alien. After three weeks he was unconditionally released. Why had he been detained? Who had denounced him? Why was it done in this fashion?

In April 1942 (I-2) the Orgone Institute Press (OIP) received a request by the editor of the Journal of the American Medical Association (JAMA), Dr. Fishbein, for review copies of the Journal of Sex-Economy and Orgone-Research and of the book "Function of the Orgasm" by WR. These were sent. Then silence ensued. No review appeared.

1) Wilhelm Reich, THE MURDER OF CHRIST, 1953.

2) Wilhelm Reich, THE MASS PSYCHOLOGY OF FASCISM.

3) Modju: Term coined by WR — synonym for emotional plague character derived by combining first letters of the two names, Moeuigo, the man who denounced Giordano Bruno to the Inquisition and Djugashvili, Stalin's real name.

4) See "Termites." Unpublished galley proof, Volume I, EP Conspiracy. (I-417)

5) "Truth versus Modju", WR, Orgone Energy Bulletin (OEB), IV-3-1952, pp. 162-170.

6) See "The Einstein Affair."

In May 1912 WR appeared to be investigated by two plain-clothes men, who clandestinely questioned neighbors. (I-9) The police commissioner of New York, the FBI, and the District Attorney advised WR that no investigation of him was under way. Who then were these investigators? Who had instigated them? We still don't know.

When in July 1912 Dr. T. P. Wolfe (I-3) inquired whether the JAMA wanted to receive and review *Orgonomic* literature in the future, Fishbein's answer (I-4) was: "It has been impossible to review your periodical." Why?

During the next years, while world war II proceeded (Russia and the USA were then allies) WR continued to work, publish, elaborating the young science of *Orgonomy*. In 1916, after the war had ended, organized attacks on *Orgonomy* began to take on the form of a major campaign.

The burning match is thrown:

On December 2, 1916 there appeared (I-8), in the *New Republic*, under the editorship of Henry Wallace, a Russian sympathizer, an article entitled "Calling all Couriers," in which Frederic Wertham, M.D. reviewed the "*Mass Psychology of Fascism*," labelling WR a "psycho-fascist," and stating that the "burden of Reich's attack is against Russia" and specifically called upon "each in his special sphere, be it science, literature or journalism . . . to combat the kind of psycho-fascism which Reich's book exemplifies." Wertham was a leading figure in the American-Russian Friendship organization.

In 1917 the conflagration broke out in full force, carried out through Mildred Brady, a "free lance" journalist, formerly on the staff of *Consumer Union Reports*, and later proven to be connected with communism (I-50, 380). She wrote two articles (I-11, 13), which skillfully set in motion a generalized press campaign against WR, and *Orgonomy*: In rapid succession libellous articles appeared on the nationwide scene, taking the Brady slander elements over directly, with further embroidery of the lies (I-12, 16, 36, 28, 58, 65, 111, 149, 180A, 185, 407A, 352, 353, 295, etc.). Reverberations of the Brady lie continued to pop up throughout American society through the ensuing years.

The characteristic elements of Brady's Modjuism, motive, techniques have been discussed thoroughly (I-389A, 381A, 11-3, 1-14, 26, also "The Emotional Plague versus *Orgone* Biophysics" by T. P.

Wolfe, 1917). Brady acts as a conscious tool of the Red Fascist conspiracy, the motive of which is to *kill the discovery and kill WR*. In the article "The Strange Case of Wilhelm Reich," printed (again) in the "liberal" New Republic, Brady asks for governmental intervention to stop WR's work: "The simplest solution would be to take the current standards of the American Psychoanalytic Association and write them into law" (A thoroughly Red Fascist statist idea; besides, since 1934 WR no longer was a psychoanalyst). (1-11) She suggests that there should be a "license" for "public protection" "in the case of WR," who would be "*disciplined by the state.*" "*And the case of Wilhelm Reich shows how unreliable a reed publicity can be, when it alone, must carry the burden of public protection.*" In other words Moscow tells its agents in the USA to start, in addition to the *press propaganda campaign*, a *campaign to use the American legal realm to exert jurisdiction over cosmic energy research*. Thus it is not surprising that we find in several instances that a Red Fascist can be detected behind the scenes keeping the fires of publicity stoked and fanned, a Red Fascist sympathizer using his scientific influence to obstruct and slander Orgonomy in the scientific field, (See Oppenheimer, Page 19), Red Fascists in Government carrying on with a *legal* campaign, along the exact lines set up in 1917, using a suitable agency of the US Government, the FDA, as their tool according to Moscow dictate. In reading the record, one feels that Orgonomy alone has grown, while the conspiracy once started on its track has not changed in one single salient "element" of its approach. (See table comparing 1947 Brady to FDA to journalist Ross 1951). The quality of this "one-track-thinking" seems typical to RF behavior, who hold on to a "line" until it is expedient to suddenly change the angle of attack (FDA change "vice-racket" to "accumulator is fraud" slogan 1911; FDA injunction March 1951 "all-inclusive" narrowed to "WR in personant" November 1951 (11-361A); Publicity campaign from "sex cult" Brady 1947 to "pornographic form based on using psychiatric principles of emotional yearning") (WR) (1951-55).

As indicated in the very title "The Strange Case of Wilhelm Reich," Modju is very clever. Modju knew, in throwing the match, that one could arouse the deepest fears in armored people through the "strange" ("bizarre," "weird") quality of the cosmic energy, helped by the international projection of the "psychotic" slander (Neuropsychiatrists, Psychoanalysts), implying WR is a "case" of paranoia with delusions:

as well as by creating a *legal case* by claiming jurisdiction in the cosmic energy realm (FDA in conjunction with Chemists, AMA, APA, Classical Cancer-Research Societies, Geneticists, the law system, etc.), in which case WR is a "charlatan, quack, fraud, promoter", in other words a *criminal*. It seems incredible for anyone who knows the facts; WR's personal integrity, the honesty of painstaking research and its development over more than 30 years, the non-profit construction of the Institutions chartered to carry on orgonomic research, all easily evidenced in document form—that it has been possible to create a "Mala Fide" legal case, designed a priori to prove an absolute *lie*, planted by a "Public Crank," which started a public government agency rolling, and furthermore that to date this lie should have prevailed in two American Courts of Justice.

One must go back to the simple roots of the conspiracy to follow the main branches of events from there, since later on the relationships are overshadowed by thousands of words and confusions, hiding their connections to similar origins, so that each participant in the conspiracy is unconscious of his role of keeping the process allame, nor does he know that he is being prodded on deliberately by Moscow agents active behind the scenes.

1917 Brady called for "discipline by the State." The very wording of the final injunction 1954 carries out the initial purpose (II-51): "It is further ordered (5) that all copies of the following items . . . (List of books by WR) * . . . shall be withheld by defendants . . . ; in the event, however, such statements (concerning orgone) . . . are deleted, such publications may be used by the defendants." WR must recant his knowledge of the existence and function of Life Energy. It recalls other inquisitions. Thus are the textbooks, documents, newspapers of the Soviet Union "*purged*" and rewritten according to dictate, eliminating truth as convenient. WR refused to take orders from Moscow. This command is unconstitutional. And the injunction continues: "(6) That all written . . . matter containing instructions for the use of any orgone energy accumulator device, . . . all documents, bulletins, pamphlets, journals, and booklets,¹ *but not limited* to those enumerated *shall be*

* Who, except Moscow would be interested in destroying THE SEXUAL REVOLUTION and THE MASS PSYCHOLOGY OF FASCISM: written years before the discovery of the Orgone, revealing truths about Red Fascism?

1) Note omission of Historical Documents, "The Einstein Affair" from list.

destroyed." *There are no limits to what is to be destroyed, the essence of American Freedom, including the "Right to be Wrong" (I-475). This outdoes Modju-land, for it is to be performed in the name of American Justice, for "Public Protection," in the Land of the Free. To destroy Orgonomy is a Public Service; as was the Occupation of Czechoslovakia by the "Liberators of the People." Furthermore: "(7) the directives and provisions contained in paragraphs 1-6 inclusive, above, shall be performed under the supervision of the employees of the FDA . . ."* One now has to turn the spotlight on the "Strange Case of the FDA" itself (I-389B): Investigate* exactly *how* and by *whom* the FDA machinery was first set rolling, who kept directing from behind the scenes through the years? Who exactly constructed this injunction, to which there are no definable limits (II-188) and which directly expresses Red Fascist policy? We question whether the FDA agents, as they behaved through the years (I-146, 356, 33) represent bona fide "representatives" of the people of the USA. Finally the injunction orders that "(8) The defendants . . . shall permit . . . employees of the FDA . . . to have access to and copy from all (NOTE MOSCOW COMMAND) books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of defendants . . . and all affiliated persons . . . relating to matters contained in the decree . . ." TO OBTAIN WR'S EXISTENT NOTES, HIS BASIC NATURAL LAW EQUATIONS IS THE REAL AIM, besides gaining access to his private papers in order to further defame him with public press slander campaigns, besides destroying all papers to leave no trace of the discovery on earth; truly only a master devil could think this up, and put this over on innocent-freedom-truth-loving American people.

Red Fascism uses American constitutional government against itself: By using one arm of the government, the FDA, as a tool, which plants a complaint against Orgonomy with another arm, the Department of Justice, it has become possible to hamstring even the FBI,

*) "Who acts under the protection of the FDA (then administrated by O. Ewing) in an attempt to destroy the discovery of the Life Energy?" (I-389B) "Now who is and on whose behalf did Mr. A. Harris Kenyon act? Who is behind Kenyon? Ewing, the Administrator of Federal Security? And who is behind Ewing? This we shall have to investigate very thoroughly" WR, 1952, (I-359).

Why exactly does a Jackman, the most ardent FDA agent over the years, have an affidavit in the legal document that frees him of suspicion to be a spy?

which on being informed of the conspiracy finds its hands tied (1951, II-73) since the Department of Justice cannot bring action against itself.¹ Today from WR's *Cosmic point of view*, there exists no "case," only a *plague directed conspiracy* to trip and impose jurisdiction over *basic cosmic natural scientific law*, through misuse of decent constitutional government as a tool.

The master conspirator behind the scenes knows well the work of WR, knows, since the Einstein affair, how far reaching are the possibilities of the discovery of Cosmic Primordial Energy: opening to mankind the pathway toward a new age of rational biological living in harmony with the laws of the creative life force, and with the possibility of technological developments in "Cosmic Engineering" as yet embryonic,² but infinite in promise. Russia orders orgonomic literature (OEB II, 1950, p. 152), at the same time launching press campaigns on "Bourgeois zoological egotist psychology". (I-104) As pointed out by WR all along: Moscow Modju maneuvers to *kill* the discovery in the USA and to *use* it in the USSR (Accumulators reported in Ural Hospital). To block and obstruct rational study and scientific concern with the new science in the USA, while at the same time *spying*, and obtaining "all" of WR's unpublished writings through its agents carrying out an *American* injunction. This is the ultimate design of the conspiracy in the USA. (WR letter to Raknes, II-14).

It is no accidental coincidence that the following events happened within a short space of time in 1947:

1. A possible scientific spy, William Washington, is introduced to WR by well-meaning but gullible friends. February to March 1947
2. A slander publicity campaign is originated by Brady in "Liberal" publications. April 1947
3. The FDA investigation of Orgonomy begins following the personal visit of Inspector Wood, *on the basis of the Brady article*, to Orgonon. August 1947

1) (II-73): "Mr. Long then said that granted that the material showed clearly the existence of such a conspiracy . . . he was convinced . . . nothing within jurisdiction of FBI, since legally . . . nothing concerning security of USA is involved. This is so because an agency of the government (FDA) has said that orgone energy does not exist and the AEC . . . said that orgone energy although science, is not within their realm . . ."

2) See CORE, Oranum Weather Control, The Orgone Energy Motor, etc. . . .

The Possible Scientific Spy:

William Washington (I-113A, B, C) made the acquaintance, and became friendly through Mrs. Ann Sharaf with Myron Sharaf, student of psychology, at the University of Chicago (I-107). Sharaf, and his mother became tools in gaining personal access to WR; they were easily approached through the usual channels of American good fellowship, the usual "socialitis" (WR). Even WR did not require documentary identification of assistants at that time; he has learned how necessary this is since. On 3/27/1917 Ann Sharaf wrote to WR (I-67), introducing Washington as a possible assistant, "A genius in pure science," student in theoretical mathematical physics, describing him as "unobtrusive . . . completely silent little man . . . he has nothing to say except in direct probing . . . all (this) information was obtained only by hard pushing." "I did not want to speak of him to you until the time was ready when he would be prepared." After knowing the Sharafs for two years, Washington had, himself, given Mrs. Sharaf the "go-ahead" signal on 2/15/17 (I-67A): "I would prefer to wait with the decision (to approach WR) until about the *first of April* before definitely deciding." In March 1917 (I-68) Washington wrote to WR inquiring about the possibility of working under him. Pretending to work at Harvard as a graduate student. (I-75, 78, 88, 91, 96, 102) Washington worked under WR long enough to obtain much basic mathematical and physical information about orgonomic functional law, and worked on the Orgone Energy *Motor* problem. He disappeared mysteriously in the summer of 1919, claiming, first a trip to a Chicago professor about his thesis, then illness in his family, later (phone) that he was ordered to Oak Ridge Laboratories by telegram, finally that he was working with Argonne (AEC) laboratories. (103, 103A, 101A, B, 105A, B) Not only did letters reveal that Washington was not known to be at Argonne laboratories as claimed (I-105E, 106B, 107B, 107E, 108E, 109A), but furthermore inquiry from professors under whom Washington was allegedly working for his thesis, denied that this was so. (I-105D, 106D, Prof. Quine letter) Chicago University answered that Washington had never completed his college work there (112A). The matter was brought to the attention of the FBI in the interest of national security, since Washington had come into possession of important knowledge and facts. (I-110A, 111A, 112, 113A, 113D) However, as late as 9/11/1953 the FBI stated through J. Edgar Hoover (I-113E)

"while I would like to be of service, the information available to the FBI concerning this matter does not reflect a violation of any Federal law within the jurisdiction of this Bureau." To this date it is not clear who Washington was, by whom he was sent, nor his present whereabouts. The reader is referred to the documentary file for clues: Was this man a pathological liar, a schizophrenic? (I-113D) Unlikely, in view of his real intelligence, helpfulness as assistant for two years, and the fact that WR, as an experienced psychiatrist, would not have tolerated pathology in the laboratory—or was he a Moscow Modju spy or was he kidnapped by yet a third party?

Slander Spreads Like a Conflagration:

Once started, the phase of spreading slander through press publicity, as requested by Brady, spread throughout society in general; in turn carried by different interest and pressure groups, who felt themselves attacked by the meaning of Orgonomy. These constituted the "emotional substratum" which in turn became infected, and spread the disease as was the design. The spreading occurred in two general ways: One leading from Brady to FDA, leading to so-called investigations of Orgonomy by the FDA (1947-48, 1949, 1951) and culminating in the injunction of 1951. In turn the various groups, which had become infected with the slander then collaborated in collusion with the FDA.

The Neuropsychiatric Slander:

One of the main instigators of the psychiatrists' slander, which concentrated on the "crazy" angle, was Dr. Annie Rubinstein, former wife of WR (until 1933); there exists written proof that she actively disseminated, out of personal resentment, the rumor that WR was insane, suffering from paranoia, a persecution complex, with delusions of grandeur and hallucinations of seeing "blue" in the air. The rumor that WR was psychotic, originated by Dr. Otto Fenichel,* was spread at the *Menninger Clinic* in 1948 (I-155, 156A, 175B), for example by Dr. Fabian, and Dr. Karl Menninger, and became international. It was spread by Langfeldt in Norway (I-152), who also quoted Brady directly under assumption she was an authoritative M.D. with the backing of Menningers' "Reich not a charlatan, but psychotic". (I-151, 152, 153,

* See PEOPLE IN TROUBLE, Chp. VIII.

151, 159, 162) The rumor was still alive at a convention of Canadian psychiatrists in 1953 as reported by Dr. Nic Waal. (II-330)

It was a clear RF maneuver, as Wertham requested, to obtain apparent scientific backing, when somehow the Menninger Clinic Bulletin was instigated to reprint the entire "Strange Case" article by Brady verbatim in 1948 (I-149); one wonders *who* contacted, managed this.* From here, now based on "scientific" authority the slander spread like wildfire. The psychiatric opinion of WR as "crazy" was given apparent "official backing" by appearing in postgraduate lectures, and psychiatric text as well as lay books. "Reich made valuable contributions to the study of character structure before he had become schizophrenic or a faker," lecture by Dr. H. Shlionsky, Veteran's Hospital, N. J., 1948. (I-176) Dr. William Horwitz of New York Psychiatric Institute lectured on 11/9/48 that psychoanalysts considered "recent work of WR psychotic." He described orgone therapy as erotic stimulation, that WR had formerly claimed to cure cancer . . . that WR might be paranoid because of some of the difficulties with authorities" (I-176)

That this slanderous opinion about WR was cleverly utilized and woven into the network of the total conspiracy appears clearly from evidence that the American Psychiatric Association (APA) was in collusion with the FDA in preparing the legal "case" against WR (II-163):

1. (I-166) Statement 1948 by a physician, "the psychiatric society is trying to provoke WR . . . discoverer of the orgone, so that he would sue them for libel and in that way they would bring the orgone work into the open and expose it."
2. (The "Marlboro Incident," Chester Raphael, M.D. OEB 1-2, 1949). The director of Marlboro State Hospital, N. J., Dr. J. B. Gordon, had been elected president of the N. J. Neuropsychiatric Assoc. in May 1948, and requested investigation of Orgonomy at the APA convention in Washington, D.C. Drs. Baker and Raphael were "investigated" by Drs. Cotton and Gordon in May 1948, asked leading questions, designed to prove that in orgone therapy the patient is manipulated, bruised, possibly masturbated; they were then asked to sever their connections from the staff. (I-9)
3. Galley proofs of CANCER BIOPATHY found in hands of physician not connected with Orgonomy and not entitled to

* Subsequent article in Menninger Bulletin, Vol. 13, 1949, by Dr. David Rapaport on WR and Brady reprint gives clue to connection; his wife, Mrs. David Rapaport, reported to have been an active communist at this time.

have them. He refused to tell where or how he had obtained them. (I-26)

4. (I-177) 1918: The head of the neuropsychiatric division of the Veteran's Administration in this country, Dr. Thompkins, requested list of doctors active in Orgone Therapy from Dr. Richie, district head of N. J. sector. The New Jersey Psychiatric Association had requested the APA to investigate Orgone Therapy.
5. (I-439A, B) 1953: Report that Dr. Walling, student of Orgonomy had been questioned on accumulator by Dr. H. Potter, Treasurer APA, Superintendent Kings County Hospital. "His general attitude was that he thought Dr. Walling a dupe in . . . having to do . . . with such quackery and intimated that the AMA, the APA and the FDA were exerting a concerted effort to put a stop to it once and for all."
6. (I-439A, B). The then one time president of the APA Cameron told on inquiry about orgone therapy that "Orgone therapy was a pure fake and that the APA was going to bring charges of fraud against Dr. Reich."
7. 1953: The APA, through Dr. Blain, wrote to several orgonomists an identical letter asking for "information on orgone therapy" directly, in order to answer "inquiries from lay people" about it. (I-429, 430). When Dr. Philip Gold resigned from the APA he received a letter (II-275) from Dr. Blain on 7/7/51 stating, "From all that we have been able to find out, the usage of orgone therapy and the results appear to be based largely upon suggestion, because some *very critical studies of orgone energy as a general principle seem to deny the existence of any specific form of energy.* I would rather hear from you asserting that you are willing to accept the judgment of a *number of scientists who have given the matter of orgone energy very critical experimental evaluations and find it lacking . . . stand with us in the matter of a solid front . . .*"
Who are the scientists? Why do they hide? Why did they never publish their findings?

The collusion of different groups in their attempt to destroy Orgonomy can be concretely proven in the instance; APA - FDA:

(II-163, 180): In the APA newsletter of April 1954 there is printed a news release about the injunction by the FDA (also printed in newsletter of New Jersey Association). The last sentence reads, "The Acting *Medical Director* of the Food and Drug Administration has expressed his agency's appreciation for the *American Psychiatric Association's help in the successful development of its case.*"

The collusion of such other groups as: Chemists in FDA—Chemists in AMA (Council of Pharmacy); Classical Cancer Research—AMA—

FDA; Pharmaceutic industry—AMA; etc., can only be deduced from more indirect evidence. One suspects that a "central committee" of the campaign existed; one wonders who was involved.*

To elaborate their strategy the conspirators drew into the web and used the agencies of organized AMA medicine, classical research and chemistry, to prove their position that *orgone energy must be proven to be a fake by scientific experimentation*, so that WR could then be charged with fraud and committed to jail, if not committed to a mental institution as a psychotic. Thus instead of rational study of organomic facts by this U.S. Government agency, the taxpayers' money was now designated to cover the expense of a prejudiced series of secret "scientific investigations" by "experts" who were only interested in proving the non-existence of the orgone, on behest of the FDA. The FDA consistently refused information on who these scientists were, what they had investigated, where it had been published. (1951 II-261, 276, 288, 291, 329) They were completely hidden, while WR was completely in the open.

So-called "scientific proof," designated a priori to prove WR as wrong, was accomplished several times under very absurd circumstances; when details of method and procedure were checked, they were found, in each case, to rest on error, ignorance, or non-existence, yet such "controls" were immediately utilized by the plague in its campaign:

1. "The Einstein Affair": Einstein took the accumulator apart, temperature difference disappeared, of course; Einstein thought heat effect due to radiation from walls, onto table top, but failed to control idea by simply taking accumulator out of doors, where effect is many times higher.
2. In 1950 Dr. Clara Thompson in a book "Psychoanalysis, Evolution and Development" wrote as a footnote (I-227A), "Some of (Reich's) experiments have been repeated with negative results

* Evidence of conspiracy of pharmaceutic firms against Orgonomy is but indirect. Lawyer Green stated 1/14/53 that he had heard that "pharmaceutic companies were afraid that the accumulator might interfere with the sale of their products. The companies know about the accumulator and although they have told him that the claims of the accumulator are false they also said that if the claims were true, they would be in a tough spot." (I-406A)

The FDA complaint about the "claims of cure" is built according to claims used in sales propaganda by commercial pharmaceutic firms. (See II-158, 159, 160)

by T. Hauschka (report to be published shortly)." On inquiry about source of statement (I-227A, B) Hauschka sent his unpublished article (I-228B). He observed coal bions and called their movement "Brownian." His lack of method and slander based on it was refuted. (I-291A, 289A) The article had been written on request of "Politics," which had folded up, as material for review of "Cancer Biopathy." Dr. Thompson tried to get it printed in "Psychiatry," which refused on basis (I-225) "because this would lend aura of scientific sanction to 'Reich's monomania'." Note this is exactly what Menninger Bulletin was willing to do for Brady. Note this connection Hauschka—with "control by orthodox cancer research," Institute for Cancer Research, Lankenau Hospital.

3. On 11/6/45 (II-2) The Roscoe Jackson Memorial Laboratory of Bar Harbor, Maine, refused to sell inbred (cancer strain) mice to the Orgone Institute Research Laboratories on request. It was the same laboratory which conducted one of the FDA's "control experiments" in 1953 (Appendix, Vol. I, Archives OI 10971) under a Dr. William Murray. "Dr. Murray has not been in contact with experiment for the last month it being his desire to inspect the data only at its completion . . ." "More experimental mice than controls died, they were put into accumulators, on the same floor as the X-ray machine 100 ft. away . . ." "I recently mentioned the effects of radiation on the orgone to Dr. Murray but his response indicated to me that my point had not registered with him. He admitted to me that he had read little of your literature that the FDA had sent him. His reasoning was that he wanted to remain a completely objective observer."

Robert Oppenheimer, declared in a letter (II-7) in 1951, on inquiry from Mrs. Eleanor Roosevelt about the layout of the Oranur Experiment: "I am afraid that the evidence of the paper makes me suspect that the *undertaking is a hoax*; I have been unable to find out anything about it that is reassuring." This key scientist came under investigation for questionable loyalty, and evidence of Red Fascist connections in 1953. (II-352) In an article on the story of the hydrogen bomb, Oppenheimer's influence is outlined as having exerted a peculiar "obstructing and emotionally paralyzing" deadlock effect, which in case of development of H-bomb gave Russia the advantage. One suspects that he used his authority similarly to obstruct orgonomy in high AEC circles. Note the fact that Oppenheimer works at Princeton Institute of Advanced Studies, scene of Infeld-Einstein incident, in New Jersey, a center of attack on orgonomy.

On 1/8/19 there appeared in the Journal of the American Medical Association an article by Smyth of the "Council of Pharmacy and Chemistry," classifying the orgone energy accumulator among cancer quacks and frauds. (I-180A) "Inquiries received concerning the institute publishing this nonsense indicate that the 'theory' is promoted as a method for curing cancer. There is of course no evidence to indicate that this is anything more than another fraud that has been fostered on the public and the medical profession." Note the Brady elements: "Scientific nonsense, public protection, promotion, weird device, pseudo-scientific vocabulary . . . etc."

Was it an accident that this article was reprinted by a lay journal, Consumer Reports (I-185), when we consider that Brady had worked on the staff of Consumer Reports, that she was known to be a friend of Masters, a staff-writer on the same journal about whom we have the following statement (I-178): "That he knew WR was *psychotic*, that he thinks WR should be in jail, because he is preventing patients with cancer to have the right treatment and instead makes them sit in the box, whose purpose is to activate masturbation, that this box is rented out to anyone who asks for it . . ." Note, that here in a nutshell are combined the slander lines of AMA, APA, FDA, with a Red Fascist sympathizer in the background.

AMA—Monopoly in Medicine:

The AMA, revealed clearly in reports by the U.S. Congress to set itself up as a body in control of all "medical thinking and practice", tries to control and attacks all groups outside its monopoly* (I-414) who work with non-drug-living-principle approach. One gets a glimpse into their unethical power politics from examples produced in the fight to keep the approach to the cancer problem open: see reports by Senator Tobey's son. (II-252, 253) The AMA tried to apply pressure methods to orgonomy, but failed, since WR refused to give them jurisdiction and stood on his right to free scientific inquiry. (I-422, 425)

1. In answer to the slanderous article about orgonomy and the accumulator (I-180A), a correction of errors was sent to the

* Insurance companies have agreement with the medical societies not to insure non-members for professional liability. Attempt of an orgonomic physician in Maine to get insurance; "Agreement with Maine Med. Association . . . NOT insure non-members . . . no company . . . in insurance field . . . reason . . . you do not belong to Med. Assoc."

JAMA (I-180B), with a copy to the law firm of Arthur Garfield Hays commenting that the pharmaceutical industry had now joined the attack on orgonomy (I-181A). Hays felt that a libel suit "would not do any good" (I-182) and that the JAMA would not respond to a letter. *No answer was ever received by "the salesmen of the pharmaceutical industry."* (term coined by WR at that time to designate that type of medicine.)

2. On 3/11/49 James Malaney, Executive Secretary of Professional Conduct for State of N. Y. Educational Department, wrote to WR that it was "imperative" he call at his office to discuss a "situation pertaining to your practice in this state as an M.D. . . . if you refuse to come . . . necessary for me to take more drastic steps". (I-187) In answer via lawyer Hays WR flatly refused to be threatened: M.D. title nothing to do with license in state; WR had not "practiced" medicine since 1930, but was doing independent natural scientific research under N. Y. State charter; that everything had been published; that this attack was probably incited by recent AMA slander.
3. AMA threatens doctors into obedience with "licensitis" on the basis of "moral character". (I-406)
4. "The Duvall Affair" 4/29/52: Dr. A. E. Duvall, Director of the Orgonomic Children's Clinic was arrested under charge of practicing without a N. Y. license. The charge was invalid (II-9) but a New Jersey newspaper printed headlines "Medical Fraud Laid to Duvall." An investigation, using underhanded, malignant methods, had been going on for some months. Children's Clinic broken up temporarily.
5. Dr. Raphael was called before Board of Censors of the Queens County Medical Society in February 1953 "because questions of ethics were involved in his being an officer of the Wilhelm Reich Foundation" (I-II-C, 427, 428). He was questioned about the *Orgone Energy Accumulator*. (I-423)

Scurrilous remarks continued to be spread through the media of radio, newspapers, books, magazines, lectures, plays, and the channel of backdoor gossip. By 1950 the plague attack was generalized and cropped up in various localities, against various individuals interested in orgonomy, as if independently but related to the background of the whole conspiracy, trying to threaten them into conformity by affecting their livelihood, and social community standing:

1. In New Jersey a psychiatric clinic attached to a nursery school, was attacked in a newspaper query to a psychiatrist (I-295A), Dr. Rose Franzblau, to give an opinion on orgone therapy and the "Reichian Approach." In answer Franzblau quoted Brady, Menninger a la Brady. It appears that Franzblau is now associated with the *New York Post*.

2. In August of 1918, Dr. Walter Hoppe, arriving at the Idlewild airfield, N. Y., enroute from Israel to attend the first Orgonomic Conference, was taken to Ellis Island by an immigration officer who, on the basis of the Brady article, was of the personal opinion that the Orgone Institute was "illegal." Hoppe was released 48 hours later on \$500 bond after protest to the Justice Department in Washington. He nearly missed the Conference. (I-9)
3. In autumn, 1950 a fake FBI agent investigated a counselor at a camp in Rangeley, trying to find a connection between the camp and the OI. (I-304, 311A, 317) His questions were designed to uncover a vice racket, charging nudism, wanted to know about orgone therapy, the box. However FBI informed Orgonon that it was not investigating Orgonon. (I-312, 320) *Who was this agent? Who sent him?* All the anonymous complaints about the OI to the Governor of Maine from someone in the Rangeley region were found to be "completely without basis" on investigation by the State Police. (I-307, 308)
4. Subsequently these rumors spread through the State of Maine:
 - a. Social worker found her job application was questioned due to slander (I-319A)
 - b. Teacher told he would not be considered for job if connected with Orgonon (I-325)
 - c. Canadian scientist entering USA on way to Orgonon detained at border for questioning (I-328B, 329A)
5. On election day 1952 a parade of boys was instigated by a Rangeley pharmacist to shout "Orgie, Orgie, come out you commie". (I-392A) Continuous small nuisance deeds at Orgonon throughout the summer.

Whenever the fires of publicity were low, they were again freshly fanned and stoked by Red Fascist sympathizers, continuing their initial program: In the fall of 1952 Martin Gardner published a chapter on WR in a book called "Science and the Brilliant Crackpot", Putnam. (I-352) Gardner's book was then reviewed by John Pfeiffer on 1/21/53 in the "Saturday Review of Literature":

"Mr. Gardner's book should help all of us to spot crackpot theories whenever they appear. It may even act as a spur to *timorous officials* of scientific institutions. Cranks rarely lack guts. Individual scientists, on their side, have not hesitated (a Hauschka?) to attack pseudo-science. But their organizations tend to maintain dignified aloofness and there is nothing more futile in a *fight, which this is going to be*. Meanwhile pseudo-scientists prosper. Scientists lose public esteem and science and all *rational disciplines* (RF expression) suffer in *uncourageous silence*." (I-407A)

This is the second attack of militant exhortation to "fight" appearing in a "Liberal" publication with suspect RF influence behind the scenes. It recalls the Wertham article of 1916 in the "New Republic" in which Wertham said, ". . . science, literature, or journalism, . . . use their technical knowledge to *combat* the kind of psycho-fascism which Reich's book exemplifies?" (I-8) Both the book by Gardner and the review of it by Pfeiffer show that the conceded objective of their attack was WR. As in the case of the New Republic article, one asks if a Communist attack on oronomy can get into print without there being an editorial policy sympathetic to Red Fascism?

The eruption of slander on the social scene appears to occur throughout the years in relationship to the conspiratorial development of the FDA investigation and preparation of a case in the legal realm.

FDA—Legal Realm:

On August 8th, 1947 Inspector Wood of the FDA appeared at Orgonon PRIVATELY and stated, "A friend of mine has shown me the *article by Mildred Brady* in the New Republic, and I wanted to look into this matter." (I-378) Wood also warned Tom Ross, Orgonon caretaker, that the *accumulator was a fake*, "that Dr. Reich was fooling the public with it and might go to jail." Later, in January 1948, FDA Inspector Kinney admitted that the Brady article was the basis of his prejudice. (I-121A) *Who was this "friend" of Inspector Wood* in Portland, Maine? What was the role played by the numerous personnel in this government agency who were later discharged for reasons of subversion or disloyalty? (II-217) *

Inspector Kinney also stated, "it was incredible to him that the accumulator could have any kind of effect" and he "asked us whether we had been told that the accumulator would produce orgasms" (Brady again). Wood had said that the accumulator was a fake. The initial line of the FDA was already prejudiced, unscientific and ignorant of the facts, always out to convict a priori on the basis of a pornographic view a la slanderer Brady. At the very first there was the definite attempt to find "some sort of sexy racket, mixed up with a strange box". (I-19) Affidavits of individuals interviewed by FDA men in that period show clearly that they were out to expose a vice racket. (I-29,

* "U.S. Health Dept. drops 238 . . . out of 1000 'sensitive' jobs"—N.Y. Herald Tribune. 6/3/54 (II-217).

I-30) This is direct from the Brady slander. Inspectors asked personal questions, especially about women, whether a person undressed in the accumulator. (I-19, I-56, 57) They sought to find "connections" between people and at the same time casually stressed the "routine" nature of the interview. (I-56)

Late in 1948, after strong protests from the OI, the investigation stressed less the search for a "vice-racket" and became focused more upon the orgone energy accumulator; which, according to the FDA, the non-profit research institute was "renting out" to users; trying to prove that fraud existed, that the literature of Orgonomy constituted "labelling" (I-42, 33) for "promotional" purposes, a money-making racket, etc. . . . The pornographic slander started by Brady, that the orgone energy accumulator "conveyed orgasmic potency" was now connected with "fraud" and with the Brady slander of "cancer cure". (I-28) Even as late as May 1955 this continues with the FDA lawyer telling the Judge in the Federal Superior Court in Boston that, "the term 'orgone energy' comes from 'orgasm'," a la Brady.

The FDA took over the "public protection" line of Brady, that by destroying Orgonomy they were doing a public service: as Red China is liberating South East Asia. And Modju in the FDA continuously, through the years, attempts to get hold of "lists of names" of the Orgone Institute Press, of accumulator users, of all those interested in orgonomy; (I-31, 33, 43) even to the point of bargaining through Federal Judge Clifford, "We will consent to a stay of injunction if you give FDA a list of names". (II-364, Jan. 1955) It is lists of names like these which enable the RF, after taking over power, to shoot in great purges all those who dare think differently. The efficiency of these purges is based on years of preparation: "lists, names, addresses" . . . another RF element. One notes its recurrence throughout the documentary files.

The FDA used all methods, indiscriminately, to push its aim. Some of the discrepancies and methods that can be pinned down in documentary form are as follows:

1. FDA Inspector Wood stated he came first *privately* to Orgonon. (I-378)
The FDA states later that he came first *officially* to Orgonon. (I-200)
2. Wood brought *applications* to be made out. (I-191)
FDA later has *no records* of these *applications*, which were filled out and sent. (I-193)

3. FDA Inspector Jackman threatens accumulator user with "FBI", with reporting him. (I-146)
Why is Jackman's affidavit in the FDA Court Brief? Why was Jackman the (II-123) driving force in the N.Y. area?
4. FDA Inspectors Kenyon, Heller, and Brimmer trespass, illegally, through chains and signs at Orgonon; came suddenly unannounced, and ignorant of orgonomy. (I-356)
5. FDA Inspector Holliday trespasses, illegally at "Little Orgonon" Tucson, Arizona, December 1951. Came suddenly, unannounced to inspect "everything," bringing with him U.S. Marshal not on official visit. (II-382, 382A, 385)
6. The FDA court case was built on a few cases who had either returned accumulators after use or on cases who in retrospect purchased accumulators and literature as FDA stooges. (II-583)
7. FDA constantly ignored positive cases (II-101) "FDA ignores Wm. Steig's letter about his mother's successful cancer treatment."
8. FDA deliberately distorts: In court case cites medical case history descriptions from Cancer Biopathy of patient's improvement . . . pp. 140-143, insinuates these as claims of cure, deliberately omits rest of case history which tells of the death of the patient.
9. Confidential files of Orgone Institute and Franklin Institute correspondence discovered in files of the FDA. How did they get there? (I-62)

The conspiratorial nature of the FDA investigation, the collusion behind the scenes, and the mala fide character of the FDA's action is illustrated by the following incident: (II-197) On April 28th, 1951, the Waldemar Medical Research Foundations, Inc. sponsored a lecture by FDA Dr. Leo Palmer entitled, "Quackeries in Cancer Treatment and Frauds." During the discussion period a woman asked about Dr. Reich and his cancer treatments. This presented Dr. Palmer with opportunity to speak of the injunction: "It just so happens that the FDA has just won the case against Dr. Reich after 5 years of work . . . was a respectable psychiatrist . . . decided on a new theory of disease . . . invented a box which looks like a coffin that cures all diseases . . . wrote how he cured cancer . . . I just happen to have a copy of the CANCER BIOPATHY with me . . . the government had to spend your money to fight the cure of all diseases with accumulator . . . It is now illegal to transport coffin-like boxes in interstate commerce, illegal to transport the book CANCER BIOPATHY . . . tried accumulator on many cancer cases . . . had no benefit." Note:

1. Waldemar Foundation is collaborating with the R. B. Jackson Laboratories of (II-198) Bar Harbor, Me., scene of one FDA accumulator experiment; Dr. Murray in charge of experiment says, that he (Dr. Murray) "*does not want to learn the principles involved in this experiment.*" (Appendix Vol. 1)
2. The woman who asked the question about WR later appealed for funds for the Waldemar Foundation, exposing fact that she was acting as a *stooge* and that the "question" was a planted one. This is reminiscent of the FDA court case based for the most part upon cases which appear to have been planted as FDA stooges.
3. Dr. Palmer repeats many *Brady* elements: FDA has *won case against Dr. Reich*, WR once a respectable psychiatrist, coffin-like box . . . cures all diseases . . . cured cancer . . . acting for public protection . . . WR now disciplined.
4. Dr. Palmer refers to FDA as THE GOVERNMENT . . . Throughout history of investigation FDA has acted and pretended as though it were THE GOVERNMENT, not just an agency of the government (I-170, 471, 472, 473, 474, 146, 356, II-382) dealing with Foods, Drugs and Cosmetics.
5. (a) On 4/28/51 FDA Dr. Palmer states that it is *illegal* to transport literature and accumulator in interstate commerce.
 (b) On 5/5/51 (7 days later) FDA Lawyer Maguire states that it would be all right for a N. Y. doctor to give a patient in New Jersey an accumulator, and that "*The FDA has not spoken publicly about the injunction being granted.*" (II-222)

WR had refused to step into the FDA trap to get Reich into court as a "defendant." The RF scheme to have WR convicted of criminal fraud failed. The props were pulled from under the FDA by Wilhelm Reich's RESPONSE and the denial to the FDA of jurisdiction in matters of Basic Natural Science. The FDA fabrication toppled further with the application for intervention against the all inclusive injunction by the medical organomists in May of 1951. The FDA *shifted* and began arguing that the injunction is not really all-inclusive and states that the FDA is *only* concerned with WR. (II-222) This despite the fact that legally binding injunction papers had been served on the physicians. Despite the fact that the very basis of the FDA interference in the first place was supposedly to protect the public from a fraud. Yet now the FDA says it is only concerned with WR and not with the physicians or their use of the accumulator. This contradiction is

striking. It is shocking, however, to discover that *this shift introduced first by the FDA is exactly the basis of Judge Clifford's legal opinion in his denial for intervention 6 months later.* (II-361A) This results in the legal absurdity that the orgone is a fraud in Maine but not in New York. One wonders who really wrote the injunction. Who is this person Maguire really working for?

While this maneuvering was taking place in the legal realm, Modju once again starts fanning the fire on the social scene, almost feverishly, following exactly the same pattern of Brady back in 1917. The "cancer cure," "sex energy" slander appears again. This time in Pageant magazine of September, 1954; "cabinet of sex waves," "strange sexual energy," "cures ailments." Again to protect the public from the "cancer quack." The pornographic sex cult slander, a la Brady, appears again in an unsigned article in a pulp magazine "Uncensored" entitled "The Sex Theory They Tried To Suppress." The edition though dated December also appears in September. The climax was reached when a request came from the "Liberal" New York Post for an interview with WR.

This time it was WR who set the trap. The interview was granted but in a telegram to the FBI. (II-317 not sent) Reich stated that he suspects this to be "possibly a Red Fascist Plant" and that it was to be an "Experiment in Social Psychiatry." Irvin Ross of the Post arrived. He said that he had interviewed FDA officials previously and had come to Orgonon because it was "routine for him to approach both sides in such a controversial matter." (II-319, 320) WR told Mr. Ross that he had been warned that the N. Y. Post was sympathetic to red fascism; that it is possible that he, Ross, is a stooge of this conspiracy. When asked if he or his paper were communist he replied emphatically, shaking his head in a nervous manner, that his paper and he personally were anti-communist. Ross asked about the injunction, if WR had been affected by it. Then innocently asked if he could buy a couple of books, THE FUNCTION OF THE ORGASM, and THE MASS PSYCHOLOGY OF FASCISM. WR has never sold books. The books do not belong to WR. Regarding the article, WR asked Ross to be most careful and pointed out how the EP could do harm, namely how a slanderous organization proclaiming to be liberal can make contact between a subversive organization and its potential victim. When asked if he was familiar with Brady and her article Ross replied that he was not. Ross refused to submit the manuscript to WR for approval before publication. He half agreed to show it to either Dr. Willie or Dr.

Baker. This was not done. On September 5th, 1954 Mr. Ross's article appeared in the New York Post under the title of THE STRANGE CASE OF DR. WILHELM REICH. Not only was the title the same but the slant was the same as Brady's 1917, THE STRANGE CASE OF WILHELM REICH. Mr. Ross even used descriptive words identical with those used by Brady. This completed the red thread of conspiracy from Brady to the FDA to the New York Post.

COMPARISON OF SALIENT ELEMENTS

BRADY

"... discipline itself if it is not to be disciplined by the state."
May, 1947, Mildred Brady, New Republic, The Strange Case of Wilhelm Reich (I-13)

"*Orgone*, named after the sexual orgasm."
May 1947 (I-13)

"... he (Reich) builds accumulators
... rents out to patients ..." (I-13)

"... (Reich) managed to amass ... funds to launch his publishing activities ..." (I-13)

FDA

"A friend of mine has shown me the article by Mildred Brady in the New Republic and I wanted to look into this matter." 8/28/47, FDA Inspector Woods. (I-378)

"FDA has concluded that there is no such energy as orgone ... Orgone energy devices worthless ..." 3/19/54 FDA press release. (II-521)

"now illegal to send coffin-like boxes across state lines ... illegal also ... book *CANCER BIOPATHY* ..." 4/28/54 FDA Dr. Leo Palmer (II-197)

"term '*orgone energy*' comes from *orgasm*" FDA Lawyer Maguire May 1957, Superior Court hearing in Boston.

"*orgone*' which has to do with *orgasms*" JAMA, Council on Pharmacy and Chemistry, 1/8/49 (I-180)

"He (FDA Inspector Kinney) asked ... whether we ... been told ... accumulator would produce *orgasms* ..." Jan. 1948 (I-121a)

"... defendants manufacture ... accumulators ..." FDA Complaint for Injunction (I-177)

"... defendants offer for rent ... accumulator devices ..." FDA Complaint for Injunction (I-177)

"... Dr. Reich ... free to continue to collect his accumulator money ..." FDA Lawyer Maguire (II-222)

"... Dr. Reich ... using ... results for promotional purposes ..." FDA, Chief, Eastern Division, W. R. M. Wharton 12/9/47, (I-42)

"purchasers or renters ... accumulators ... learn of them ... advertising campaigns ... promote sale of publications ..." FDA (II-32) paragraph 46.

"Purpose of promotional and advertising ... to create a demand for purchase or rental of accumulators" FDA (II-32) paragraph 51, Civil Action 1056 Request for Admissions.

BRADY

" . . . Reich runs a considerable establishment . . . more patients than . . . can take care of . . ." (I-13)

" . . . Bizarre discovery, orgone . . . who believes sex life can cure cancer, alcoholism and neurosis" (I-28)

" . . . electrodes, amplifiers, oscillographs . . . all manner of impressive paraphernalia he (Reich) . . . hadn't quite got hold of orgone yet, but he was close." (I-13)

" . . . romance of orgone . . . spelled out in polysyllabic detail . . . With Orgone Reich combined . . . magical package . . . welded together . . . a persuasive amalgam of psychoanalytical concepts." (I-13)

"Physical scientists termed both bions and experiments as utter nonsense." (I-13)

"Reich has been repudiated by only one scientific journal . . . no current professional evaluation of Reich's work." (I-13)

"Growing Reich cult . . ." (I-11)

FDA

" . . . an alleged non-profit-making corporation the Wilhelm Reich Foundation." FDA press release (II-521)

" . . . more than 1,000 have been sold at prices from \$15 to \$225." (II-521) (only 40 non-medical accumulators were sold)

"He (Reich) declares . . . will prevent and cure a variety of serious diseases including cancer." FDA press release 3/19/51 (II-521)

"He (Reich) decided on new theory of disease . . . invented box . . . looks like coffin . . . cures all disease. He wrote . . . how he cured cancer." FDA Dr. Leo Palmer (II-197)

" . . . weird devices . . . offered for treatment of cancer . . . other diseases . . . accumulator." AMA Council Pharmacy, Chemistry (I-180)

" . . . promoted as . . . curing cancer . . ." (I-180)

"They attempt to prove existence (orgone) . . . employing well-known scientific instruments . . . resorting to use of phenomena . . . light, heat, radioactive measurements and electro-magnetism." FDA Complaint for Injunction (I-477)

" . . . defendants have devised a jargon stemming from their coined word 'orgone' . . . promotion of . . . pseudo-science . . . they call 'orgonomy.'" FDA Complaint for Injunction (I-477)

(see Weytham)

"The pseudo-Freudian confusion on which this illusory concept of 'treatment' of cancer is based." AMA Council Pharmacy and Chemistry (I-180A)

" . . . concerning the 'institute' publishing this nonsense . . ." AMA Council Pharmacy and Chemistry (180A)

"FDA accepted challenge . . . concluded no such energy as orgone . . . accumulators worthless." FDA Commissioner Crawford 3/19/51 (II-521)

" . . . any accumulator cults in S. California? . . . read Brady's article . . . unfavorably impressed by her word cult . . ." FDA Inspector Kinney (I-121A)

BRADY

" . . . question of public protection. . . case of Wilhelm Reich shows how unreliable publicity can be when it alone must carry burden of public protection." (I-13)

FDA

" . . . purpose . . . public health and safety be advanced." Opinion on Intervention (II-361A)
"Irreparable harm . . . to persons who postpone rational medical treatment while pinning faith on worthless devices." FDA press release (II-521)
" . . . the government . . . spend your money to fight . . . cure of ill diseases with accumulator." FDA Dr. Leo Palmer (II-197)

BRADY 1947**The Strange Case
of Wilhelm Reich**

"...disciplined by state
...case of Wilhelm Reich
...publicity unreliable.
...alone burden public
protection . . ."

"His *Bizarre* discovery.."

"WR . . . believes proper
sex life . . . cure cancer,
alcoholism, and neurosis."

"romance of orgone"

"he rents out accumula-
tors"

"all manner . . . impres-
sive paraphernalia"

"Until Reich, says Reich"

"now discredited among
them (psychoanalysts)"

"Reich and his followers."

"Turgid and pretentious
prose"

"orgone, named after the
sexual orgasm."

FDA 1947-1954**The Case Against
Dr. Reich**

"FDA . . . won case
against Dr. Reich, after
5 years of work . . ."
"box illegal, Cancer
Biopathy illegal." (II-
197)

"coffin-like box" (II-
197)
"weird device" (I-180A)

". . . prevent and cure
diseases . . . including
cancer." (II-521)

"voluminous literature"
(II-521)

"Dr. Reich . . . free . . .
continue to collect his
accumulator money."
(II-222)

"well-known scientific
instruments . . . resort-
ing to . . . radioactive
measurements" (I-477)

"Dr. Reich . . . contend-
ed . . . only the hope-
lessly ignorant could
disagree with his the-
ories" (II-521)

"He was a respectable
psychiatrist." (II-197)

". . . harm to persons
who abandon rational
medical treatment . . ."
(II-521)

". . . defendants de-
vised a jargon . . ."
(I-477)

"Term orgone energy
comes from orgasm"

ROSS 1954**The Strange Case of
Dr. Wilhelm Reich**

"Inquiry into allegedly
misbranded devices well
within domain of FDA
. . . scientific community
. . . orgone does no. exist."

WR's "bizarre reputation"

"is the belief that orgone
properly administered can
cure disease . . ."

"beneficial results report-
ed at great length in
Reich's literature."

"Injunction prevents
Reich from selling his
devices"

"dabbled with radioactive
material"

"Dr. Reich, the expert."

"Years ago, Reich was a
highly regarded psycho-
analyst."

"He (Reich) has built a
following . . ."

"Turgid prose . . ."

"Reich sees a momentous
connection between Or-
gone and Orgasm."

APPENDIX

WILHELM REICH BIOGRAPHICAL MATERIAL
 HISTORY OF THE DISCOVERY OF THE LIFE ENERGY
 (American Period, 1912-1954)
 Documentary Volume A-NII-EP
 C O N S P I R A C Y
 An Emotional Chain Reaction

Table of Events

Volume I

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
	1942			
2.	4/6	Director, OIP T. P. Wolfe, M.D.	Editor, JAMA	Information about IJSO.
3.	7/21	Director, OIP T. P. Wolfe, M.D.	Editor, JAMA	Why no review in JAMA?
4.	7/28	Editor, JAMA	Director, OIP T. P. Wolfe, M.D.	Has been impossible to review.
	1946			
8.	12/2	Book Review	F. Wertham <i>New Republic</i>	THE MASS PSYCHOLOGY OF FASCISM.
	1947			
9.		Table of Events		Moscow Molju Operations in the USA.
11.	April	Article	Mildred E. Brady, <i>Harper's</i> magazine	"The New Cult of Sex and Anarchy."
12.	4/14	Article	Time Magazine	Refers to Brady article.
13.	5/26	Article	Mildred E. Brady, <i>New Republic</i>	"The Strange Case of Wilhelm Reich."

Ref. No.	Date	From Kind	To By	Subject
14.	May/47	Statement		Correction of Brady article.
16.	8/16	Editorial	Harrison Smith <i>Saturday Review of Literature</i>	"The New Coast of Bohemia." Quotes Brady article.
19.	10/5	Statement	S. J. Tropp, M.D.	Reporting visit from FDA.
26.	11/29	WR	Law office A. G. Hays	<i>Brady chain-reaction Communist.</i> Suggest letter demanding <i>Collier's</i> print corrections or be sued.
	1947			
28.	Dec.	Article	Mildred E. Brady, <i>Everybody's Digest</i>	"Is the World Sexually Sick?"
29.	Dec.	Statement (NS)	WR	"Warning Against Communist Snipers."
30.	12/1	WR	Law office, A. G. Hays	<i>Refuse cooperation FDA vice suspicion investigation. It must be stopped.</i>
31.	12/1	FDA, W.R.M. Wharton	Law office, A. G. Hays (Culver)	Requests names & addresses of patients in published case histories. Refuses joint examination of accu. Wants information from OIP.
33.	12/4	Statement	OIP, L. Wyvell	Protesting attitude of FDA inspectors.
36.	12/6	Article	H. Henderson & S. Shaw, <i>Collier's</i>	"Greenwich Village." WR a la Brady.
42.	12/9	FDA, W.R.M. Wharton	Law office, A. G. Hays (Culver)	<i>Denied investigators implied vice. Claims WR used results of cancer cases for "promotional purposes."</i>

Ref. No.	Date	From Kind	To By	Subject
43.	1947 12/10	Director, OIP T. P. Wolfe, M.D.	WR	<i>FDA investigation of printer; asked for OIP production files, and was refused.</i>
50.	12/15	Karl Frank (Paul Hagen)	WR	<i>Translation of letter revealing Brady's sympathy with Communist Party.</i>
51.	12/16	Inter-office memorandum.	Law office A. G. Hays, (Culver & Jablow)	<i>Re: Food, Drug & Cosmetic Act. WR did not violate the law. Should allow accu. to be examined. Cites WR's objections.</i>
56.	12/17	Memorandum	Myron Sharaf	<i>Report of telephone conversation with Mr. Wood of FDA, 11/25/47. Was not interested in MS's experience with accu; only wanted to know if he sat in accu with clothes on or off. Inquired about Rolling Hill Farm.</i>
57.	12/17	Memorandum	W. Washington	<i>Report of conversation with Mr. Wood of FDA, 11/26/47.</i>
58.	12/17	Editor Annals of the O.I., T. P. Wolfe, M.D.	A. Portigal, <i>McGill Daily</i>	<i>Protesting slanderous mis-statements about WR in article of 12/4/47.</i>
62.	12/20	Orgone Institute Adm. Ass't. Dir.	Franklin Inst. Exec. Vice-Pres.	<i>How did confidential correspondence with O.I. get into FDA files?</i>
65.	Dec.	Excerpt from book.	H. W. Poner	<i>"FREUD: HIS LIFE AND HIS MIND" Published by Howell, Soskin. WR a la Brady.</i>

Ref. No.	Date	From Kind	To By	Subject
<i>William Washington File—Supplement No. 1</i>				
67.	3/27/47	Mrs. Anne Sharaf	WR	Introducing Wm. Washington.
67a.	2/15	Wm. Washington	Mrs. Anne Sharaf	Concerned with studies of character of mathematical proof. Great value of WR's work. Would feel honored to work & study under WR.
68.	March	Wm. Washington	WR	Asking to work at Students Laboratory.
73.		Wm. Washington	WR	Telegram: Appointment at Harvard. Arrange another conference.
75.		Wm. Washington	WR	Settled at Harvard. Wants to come to N.Y. to see WR.
78.	12/31 1948	Wm. Washington	WR	Requests appointment.
88.	10/18 1949	Wm. Washington	WR	Asking for appointment in connection with organomic work.
94.	1/6	Wm. Washington	OIRL	Received check. Appointment made.
96.	2/3	Wm. Washington	WR	Professors on vacation. Martin advised contact US Patent office. Possibility of using OR motor in radio.
102.	6/1	Wm. Washington	WR	Will see Prof. Carnap about thesis. Motors to be shipped on return to Cambridge. Hope to be in Rangeley 6/20.
103.	6/23	Wm. Washington (from Chicago)	WR	Unable to return. Motors in Harvard lab. Could leave for Rangeley 7/1 if loaned \$75.

Ref. No.	Date	From Kind	To By	Subject
<i>William Washington File, Cont'd.</i>				
103a.	6/25/49	City Loan Co.	Wm. Washington	Loan on motor overdue.
104.	7/19	News item	<i>New York Times</i>	"Soviet sets task for psychologists." Refers to "pseudo-scientific bourgeois psychology" and "zoological individualism and egoism" (WR).
104a.	8/5	OIRL	R. Carnap, U. of Chicago	Inquiry as to whereabouts of Wm. Washington. cc: U. of Chicago, AEC, Oak Ridge, Tenn. Prof. Quine, Harvard U. A. G. Hays, N.Y. Peter Mills, Farmington, Me.
105.	8/16	Telephone conversation.	WR & M. Sharaf with Wm. Washington	Washington frightened, MAY BE KIDNAPPED . . . INTERROGATED. CAN'T SPEAK FREELY, CONCERNS THE WHOLE WORK. MILITARY INVOLVED. GAVE AWAY NO SECRETS!!!
105d.	8/15	R. Carnap, U. of Chicago	OIRL	Does not recall Washington. Has not been in communication with him.
105c.	8/17	Orgone Institute	Argonne Labs.	Telegram: Confirm Washington's presence.
106b.	8/22	Protocol	M. Sharaf	Conversation with Mayer, Security Officer, Argonne Labs re whereabouts of Washington.
106d.	8/29	Harvard Univ.	OIRL	Prof. Quine absent on leave since 2/1. Central record office has no record of Washington's being connected with Univ. in any capacity.
107.	8/31	Statement	M. Sharaf	Facts about Washington's background.

Ref. No.	Date	From Kind	To By	Subject
<i>William Washington File, Cont'd.</i>				
107b.	8/31/49	OIRL	Security Officer, Argonne Labs.	Further inquiry re Wm. Washington.
107c.	9/6	Law office, Mills & Mills	A.L.C., Hon. S. Pike	Is Wm. Washington associated with the Commission?
108c.	9/8	Hon. S. Pike, AEC	Law office, Mills & Mills	Wm. Washington's name not on personnel records.
109.	9/8	Telephone conversation	Sharaf & R. Mayer, Security Officer, Argonne Labs.	Never heard of Wm. Washington. Suggest taking matter to FBI.
110.	9/30	Protocol	M. Sharaf	Conversation with A. F. Miller of FBI, N.Y.C. on Wm. Washington. Miller given full facts & understood matter clearly. Will send report to Washington, D.C. with WR's final consent.
111.	10/5	Protocol	M. Sharaf	Conversation with A. F. Miller of FBI, N.Y.C. Points to be included in report to Washington D.C.: Wm. Washington had all information about orgone energy and its antithetical action against atomic energy. Would be powerful weapon in Russian hands. Wants to know exact position Wm. Washington, especially his Communist ties.
112.	10/11	Protocol	M. Sharaf, OI	Conversation with Mr. Spillane of FBI, who said they would have to have strong evidence before an investigation could take place. "Experts" in Washington would decide, as he himself not a scientist.
112a.	10/14	Univ. of Chicago	OIRL	Wm. Washington never completed work and is far from consideration of a thesis.

Ref.	Date	From Kind	To By	Subject
	1953	<i>William Washington File, Cont'd.</i>		
113a. 113b. 113c.	1/2	Orgone Institute	FBI, J. Edgar Hoover	Enclosed is photograph of Wm. Washington for your files.
113d.	9/1	Orgone Institute	FBI, J. Edgar Hoover	Reminding them of Wm. Washington case.
113e.	9/14	FBI, J. Edgar Hoover	Orgone Institute	No violation of Federal law within the jurisdiction of FBI.
		<i>(End of William Washington File.)</i>		
	1948			
114.	Jan.	Excerpt from article	Shana Ager, <i>Mademoiselle</i>	WR and "Be-Bop".
121.	1/16	Jack Diether	WR	FDA visit: Inspector admitted Brady article basis of his prejudice.
139.	2/6	E. F. Baker, M.D.	WR	Visit of FDA investigators not fair. Accu not their major interest.
146.	2, 12	Rev. L. C. Carpenter	Orgone Institute	FDA investigator threatened him with FBI & with reporting him uncooperative.
149.	March	Article	<i>Bulletin of the Menninger Clinic</i>	Reprint of Brady's <i>New Republic</i> article as a "valid presentation."
151.	9/29	Ola Raknes	G. Langfeldt, M.D.	Challenges Langfeldt's statement that WR is considered insane in America.
172		Carlisle L. C. M. D.	G. P. C. A.	

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
153.	11/2/48	A. A. Cott, M.D. Sec'y CMOT	G. Langfeldt, M.D.	<i>Requests names of American psychiatrists who made statement that WR is insane. Brady a crank journalist, not an M.D.</i>
154.	11/3	A. A. Cott, M.D.	Ola Raknes	<i>Copy of above letter (R. No. 153).</i>
155.	11/9	Statement, Notarized	Nic Waal, M.D.	<i>Mitja Fabian, M.D., of Menninger Clinic said WR is crazy. Dr. Karl Menninger warned Waal against connecting her work with WR.</i>
156.	11/11	Statement	Nic Waal, M.D.	<i>Objects to lawsuit and checking gossip, but will rely on group's decision.</i>
159.	11/17	G. Langfeldt, M.D.	A. A. Cott, M.D.	<i>Not aware Brady was not an M.D.</i>
162.	11/24	G. Langfeldt, M.D.	A. A. Cott, M.D.	<i>Cannot remember names of psychiatrists who said WR was psychotic. WR had been opposed by scientists in Norway.</i>
163.	11/24	Statement	Helen Haskell McCargar	<i>All medical ergonomists mentioned, stated they had never met the person named by Oberndorf.</i>
166.	11/29	Statement	Philip Gold, M.D.	<i>A patient reported: Dr. Herman Schildkraut said a psychiatrist had stated that a psychiatric society is trying to provoke WR into suing for libel.</i>
175.	12/3	Statement	Nic Waal, M.D.	<i>The people she met in America who claim WR is crazy are usually connected with Dr. Otto Fenichel. Dr. Karl Meninger advised her not to connect her work with WR because he was "defeated." Her work sabotaged. Met many psychiatrists interested in WR's work.</i>

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
176.	12/9/48	Statement	S. Handelman, M.D.	Dr. Wm. Horwitz stated in public lecture that most psychoanalysts consider WR's recent work psychotic. Gave false description of orgone therapy. When Handelman protested, Horwitz commented that WR might be paranoid because of "difficulties with authorities."
177.	12/10	Statement	V. Sobey, M.D.	Dr. Thompson, head of VA Neuropsychiatry, requested of Dr. Richie, head of N.J. sector, a list of orgone therapists. Dr. Richie will not allow orgone therapy at Newark Mental Hygiene Clinic. Requested Amer. Psychiatric Assoc. to investigate orgone therapy. APA replied it was not their problem.
178.	12/7	Statement	Angelica M. Haymes	<i>Masters, of Consumer Reports</i> , said by Mathew Lipman to be a friend of Brady, and to have said WR was psychotic, on grounds that Brady attended <i>Psycho. Congress, 1931</i> , where WR made soundest speeches but lived in a tent with a dancer and wore a dagger. Also said WR should be in jail as he is a danger to cancer patients.
	1919			
180a.	1/8	Article	Council on Pharmacy & Chemistry JAMA	Section "Orgone Accumulator" attacks orgonomy and accumulator a la Brady. Claims cancer fraud.
180b.	1/8	Report	WR	Summary of mis-statements and falsehoods in above article.

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
181.	1/12/49	WR	Law office, A. G. Hays	<i>Can't use libel suits against each slander. Pharmaceutic attack doesn't hurt the work, but hits the public. Workers must be protected against slander.</i>
182.	1/13	Law office, A. G. Hays	WR	Libel suits usually only give publicity to the libel. JAMA editors won't respond to request for facts.
185.	March	Article	J. Landet, M.D. <i>Consumer Reports</i>	"Cancer 'Cures' Beware": reprint of slander of pharmaceutical industry. (<i>Biody influence.</i>)
187.	3/14	State Education Dept. N.Y., J.T. Malaney	WR	<i>Demands</i> WR come to see him about WR's practice in N.Y. as M.D. Threatens with drastic steps.
190.	5/20	Orgone Institute	FDA, Wash., D.C.	What happened to our application?
193.	7/6	FDA, Wash., D.C., A. G. Murray	Orgone Institute	No application regarding accumulator in FDA files.
194.	7/9	Orgone Institute	FDA, Wash., D.C. A. G. Murray	On Aug. 27, 1947, Inspector Wood of Portland took data on accumulator for filing FDA office. Send another application blank.
200.	8/15	FDA, Wash., D.C. A. G. Murray	Orgone Institute	<i>Investigation of accumulator made on instructions from this Administration and was begun 8/28/47.</i>
	1950			
225.	5/9	Institute of Cancer Research, T. S. Hauschka	Dr. A. F. Meyer	Refers to work by WR which editors of <i>Psychiatry</i> decided not to publish. Reich's ideas on neoplasia not serious; though many laymen take orgone therapy seriously. Hauschka's article on WR written for "POLITICS" for "lay" consumption.

Ref. Date	Date	From Kind	To By	Subject
227a.	6/14/50	Orgone Institute	Dr. C. Thompson	Requests information as to the basis of her statement, page 189, in her book "Psychoanalysis, Evolution & Development": CANCER WORK DISPROVED.
227b.	6/20	Law office Moss & Wells	WRF	Dr. Thompson in Europe. Letter forwarded.
228b.	1950	Article	T. S. Hauschka	"The Cancer Biopathy of Wilhelm Reich." Written for "Politics." Not published.
289.		Article	WR	Correction Regarding a Control of Reich's Cancer Experiments.
294.	7/17	H. E. McDonald, Ph.D.	Dr. Clara Thompson	Strongly protests statement in Thompson's book, page 189. Reports her own findings & experience with bions.
295.	8/6	Article	Dr. Rose N. Franzblau	"The Theories of Wilhelm Reich." in <i>The Sunday Compass</i> , newspaper, based on Brady.
304.	10/3	Protocol	Leah Dreger	Interview which took place at the time of the State Investigation of Orgonon. Miss Dreger, counsellor at childrens camp interrogated by fake FBI agent. Was questioned on slanderous statements made by town people about the camp.
307.	10/6	Report of telephone conversation	Hse Ollendorff	Judge Mills report of visit by Mr. Hennessy, Maine State Police. Hennessy said that complaints about Orgonon were completely without basis; FBI cleared WR of any suspicion about political status. Raugeley people spoke highly of work at the Orgone Institute.

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
308.	10/7/50	Report of conversation	M. Sharaf	Doc Grant's factual replies to complaints Hennessy was investigating: all complaints are lies and absurd.
311.	10/25	S. Handelman, M.D.	WR	FBI agent from Augusta questioned Leah Dieger about sexual activities among teen-agers & nudity at children's camp, & its being a "feeder" to the Orgone Institute and to Dr. Willie . . . complaints from Rangeley residents . . . complaints that atom bomb was being made at Orgomon.
312.	10/26	WRF, M. Sharaf	FBI office Boston, Mass.	Enclosing protocol of interview between FBI agent & Leah Dieger. You had advised us previously that no investigation was taking place.
317.	11/2	Statement	S. Handelman, M.D.	Investigation by FBI agent at Rolling Hill Farm . . . complaints about work with atomic weapons.
319.	11/14	Report	D. L. Campbell	Lena Parrott, Director Child Welfare Division, Dept. of Health & Welfare, Augusta, Maine, stated that she had heard rumors of sexual perversion about children & workers at Orgomon. This could be a problem in getting social work job. Parrott stated that she did not believe rumors herself, but would not give source of information.
320.	11/17	FBI office, Boston, J. E. Thornton	WRF	<i>Our agent did not interview L. Dieger, was not near Rangeley on Oct. 3, 1950.</i>

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
	1951			
325.	May	Report	Wm. S. Moise	Interview with Mr. Thompson for teaching position in Rangeley schools; was informed no chance for anyone connected with Orgonon.
328a.	6/30	Report	Bernard Grad	Detained at Canadian border & questioned about his & WR's beliefs on Communism.
329.	7/6	WRF, M. Sharaf	The President's Office	<i>Are such helps to Red Fascism as Grad's interrogation necessary?</i> By just such interference with WR's work, the red fascists may outwit the American government in using cosmic orgone energy.
	1952			
352.	4/14	D. J. Baruch	WRF	Reference to WR's work in forthcoming book by Martin Gardner.
353.	5/2	WRF	Editorial Offices G.P. Putnam Sons	Gardner's previous references to WR's work show complete lack of understanding. Suggest material be checked in forthcoming book for errors.
356.	7/29	Statement No. 1	Orgone Institute	<i>Intrusion & trespassing at Orgonon by men from FDA: A.H. Kenyon, R.B. Heller, K.W. Brimmer.</i> Alleged purpose to get information given the lie by their total ignorance & manner of entry. WR refused information & had them leave.
359.	7/30	WR	Justice Dept. Wash., D.C.	Telegram protesting unlawful trespass by FDA men.

No. Ref.	Date	From Kind	To By	Subject
361.	8/2/52	Harry Green, Lawyer	Dr. E. Baker	WR legally justified in ordering intruders off private property.
378.	8/21	Statement	WR	Mr. Wood told WR he had seen Brady's article in the <i>New Republic</i> & wanted to look into matter. WR immediately revealed Red Fascist origin of article. Wood also inquired about WR's conflict with Freud but was refused information.
380.	8/24	M. Sharaf	L. Wyvell	Information re M. Brady was that her husband was communist and she was a fellow traveler.
381.	Sept.	Draft	WR	"Modju at Work."
388.		Draft	WR	"Basic Tenets on the Organized Emotional Plague."
389.		Draft		"The Strange Case of the U.S.A. FOOD AND DRUG ADMINISTRATION."
392.	11/5 1953	Transcription of wire recording		"The Emotional Plague in Rangeley."
405.	1/6	Protocol of statement	WR	On the discrepancy between the tasks at hand and the behavior of so-called simple people.
406.	1/14	Minutes of a meeting of ergonomic physicians		Discussion on whether to retain Mr. Green as lawyer for group. Discussion on EP & ways to fight it.
407a.	1/24	Article	<i>The Saturday Review</i>	Review by John Pfeiffer of Gardner's book IN THE NAME OF SCIENCE.

Ref. No.	Date	From Kind	To By	Subject
418.	11/25/53	WR	J. J. Finn, U.S. Immigration & Naturalization Service.	Establish proper perspective of WR's personal, professional & social responsibilities. cc: The President's Office, Wash., D.C. FBI, J. Edgar Hoover, Wash., D.C.
<i>Special AMA File—Supplement No. 3</i>				
411.	1953 8/24	Transcription of wire recording		"The AMA and Pharmaceutical Industry vs. The Life Energy."
422.	1. 27/53	WR	C. M. Raphael, M.D.	Telegram: AMA has no jurisdiction over basic natural science.
423.		Notes		Questioning of Dr. Raphael.
425.	1/25	WR (NS)	Dept. of Justice, Wash., D.C.	Request protection against malignancy of N.Y. AMA attack on Orgonomic Natural Research.
427.	1/31	Dr. C. M. Raphael	Secretary, Board of Censors, Medical Soc. Queens County	Contact WRF for information. Will not appear unless for good & compelling reason which is not revealed in letter.
428.	2/1	Dr. C. M. Raphael	WR	Clear now that affiliation with any other organization unrelatd to orgonomy is detrimental & even dangerous.
429.	2/11	Amer. Psychiatric Assoc.	T. P. Wolfe, M.D.	Receives inquiries re orgone therapy. Wants adequate data to deal with such inquiries.
430.	2/11	Amer. Psychiatric Assoc.	J. A. Willic, M.D.	Same as above.
439.	3/18	Dr. E. Baker	WR	Describes 2 incidents where APA was quoted as saying that they were going to bring charges of fraud against WR and stop the work once and for all.

(End Special AMA File—Supplement No. 3)

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
	1954			
447.		Unpublished galley proofs		"Termites."
470.	2/11	Article & pictures	<i>Portland Press Herald (Me.)</i>	"Government Questions 'Orgone' Theory, Seeks Injunction Against Interstate Sales."
471.	2/11	Article	<i>Lewiston (Me.) Daily Sun</i>	"Seek Injunction Against Rangeley 'Orgone' Group."
472.	2/11	Article	<i>Boston (Mass.) Herald</i>	"Law Moves on Me. Man's Health Device."
473.	2/11	Article	<i>Bangor (Me.) Daily News</i>	"File Complaint Against Orgone Institute Director; Assured Hancock Rain" "The Rains Came"
474.	2/12	Article	<i>Portland (Me.) Press Herald</i>	"Dr. Reich Also Invented Machine To Produce Rain."
475.	3/14	Article & picture	Samuel Hopkins Adams	"Your Right To Be Wrong."
477.	2/10	United States District Court, District of Me., Southern Division		"Complaint for Injunction." Against the WRF, Wilhelm Reich & Ilse Ollendorff.

Table of Events

Volume II

Ref. No.	Date	From Kind	To By	Subject
II-2	11/6/45	C. C. Little, Roscoe Jackson Laboratory, Bar Harbor, Me.	Orgone Institute Research Labs., Inc.	<i>Inbred mice, requested by OIRL, not available.</i>
II-3	1947	Article	WR	"Beware of the Public Crank". Background of Brady, RF, campaign.
II-7	1/15/51	Robert Oppenheimer	Mrs. Franklin Roosevelt	Calls layout of Oranur Experiment a "hoax."
II-9	April 1951	Report	A. I. Duvall, M.D.	"The Plague Attack on the Organomic Children's Clinic."
II-14	6/9/52	WR	Ola Raknes	Interpretation of U.S. State Department Investigation of the 1938 "Norwegian Campaign" against WR.
II-32	2/26/54	U.S. District Court, Peter Mills, D.A.	WRF, WR, Ilse Ollendorff	Requests for Admissions.
II-73	3/31/54	Report	William Moise	<i>Delivery of OREP FDA conspiracy material to FBI. FBI accepts material for evaluation.</i>
II-101	4/10/54	William Steig	WR	<i>Reports FDA ignores his letter about his mother's successful cancer treatment.</i>
II-158		Advertisement	Morton Pharmaceutical Company	<i>Offer of free Benrus watch to physicians who purchase \$62.50 worth of pharmaceuticals.</i>
II-159	4/16/54	Editorial	U.S. News and World Report	Polio vaccine contains only dead virus, will be absolutely safe, says Public Health Service. (WR comment: "Lie. T-Bacilli") Drought in Southwest.

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
II-160	March 1954	Data	National Foundation of Infantile Paralysis	Questions and Answers regarding Polio vaccine. Safety claimed. Monkeys injected, autopsied after 28 days . . . (OI suggests 1 year to 18 months observation. Possible later cancer development not ruled out.)
II-163	4/15/54	Note	APA News Letter	"Orgone Energy Devices Barred from Interstate Commerce. The acting Medical Director of FDA has expressed his agency's appreciation for APA's help in the successful development of the case." (Proof of collusion of FDA with APA.)
II-188	4/24/54	Charles Haydon	WR	Analysis of Injunction meaning: 1) No accumulators should be shipped across interstate lines. 2) No literature should be sent out. 3) Wait with all acts till FDA employees supervise activity. 4) WR may still experiment. 5) Injunction is <i>eternal</i> ; subject to success of motion to vacate it.
II-197	4/29/54	J. A. Willie, M.D.	WR	Report on attendance at lecture "Quackeries in Cancer Treatment and Frauds in Medicine." Slander by Dr. Palmer of FDA, to planted question about Oigonomy. Collusion of Waldemar Foundation and Jackson Memorial Laboratory at Bar Harbor.
II-198	1954 April	Booklet	The Waldemar Medical Foundation, Inc.	Collaboration of Waldemar Foundation and Jackson Lab. in Bar Harbor.

No.	Date	From Kind	To By	Subject
II-222	5/9/54	Report	J. A. Willie, M.D.	Outline of events, meetings, decisions of the physicians and their legal counsel. <i>Judge Clifford amazed that anyone wished to intervene, especially a group of physicians with outstanding backgrounds. Notes on Haydon's conference with Judge Clifford: FDA Lawyer Maguire invited by Judge to attend. 3 hour argument; FDA implied that physicians were stooges of WR (since they themselves use stooges). D.A. Mills attitude vindictive. FDA contended that physicians not bound by injunction, nothing against physicians but only against WR. FDA was not prepared for WR's response. FDA wished to bargain.</i>
II-247	6/3/54	Article	N. Y. Herald Tribune	"U.S. Health Department drops 238 Security Risks". Article comments upon large number for a Dept. with only about 1,000 personnel . . .
II-252	6/4/54	Charles Tobey, Jr.	OI	Copy of Congressional Record requested not available, instead sends remarks of father in Congressional Record.
II-253	6/13/51	Remarks	Hon. Charles Tobey	Congressional Record. On successful cancer treatment by a Dr. Charles Lincoln of Charles Tobey, Jr. and others.
II-261	6/25/54	C. Crawford	G. Kelley	Case has no relationship to freedom of press or research, concerns only sale of devices under fraudulent misleading claims. Scientific research by "experts" proves no such energy exists. Implies Dr. Reich's work is NOT GENUINE science. (Projection of their own lying structure.)

<i>No.</i> <i>Ref.</i>	<i>Date</i>	<i>From</i> <i>Kind</i>	<i>To</i> <i>By</i>	<i>Subject</i>
II-262	July 1954	Memo	C. Kelley	On Washington trip, describes interview with FDA men, Larrick and Maguire, telephone call to Crawford, Larrick: "FDA out to put an end to the scheme to make money by sale of accumulator." (Easily proved malignant lie, WRE bi-annual financial report for non-profit use of contribution moneys.)
II-275	7/18/54	Daniel Blain, M.D.	P. Gold, M.D.	Reconsider resigning from APA. Use of Orgone Therapy is based on suggestion. "Number of <i>critical scientists</i> have examined Orgone Energy, find it lacking." Wishes Dr. Gold would give up Orgone Energy remain member of organized psychiatry.
II-276	8/5/54	R. McCullough	Daniel Blain, M.D.	<i>Asks who are so-called scientists who have critically evaluated Orgone Energy?</i>
II-288	7/23/54	J. A. Willie, M.D.	Ola Raknes	No news to report yet. Government is referring all letters of protest directly to FDA. FDA is refusing to give out nature of investigation.
II-291	7/27/54	K. L. Milstead	Ola Raknes	Unable to furnish information requested, while petition is pending to reopen the case; will advise "if it becomes possible to release information in future." (No information received by anyone who wrote to inquire by March 1955.)
II-317	8/9/54	WR (NS)	J. Edgar Hoover FBI	Telegram: Experiment in social psychiatry: Possible red fascist plant Post reporter Ross visiting Orgonon. In case suspicion verified request prosecution.

Ref. No.	Date	From Kind	To By	Subject
II-319	8/10/54	Report	J. A. Willic, M.D.	Interview of WR by Ross of N.Y. Post.
II-320	8/11/54	Report	Michael Woolworth	Interview of WR and Irvin Ross.
II-329	9/24/54	G.S. Goldhammer Asst. Director of Regulatory Management	William Moise	Court action pending, cannot furnish requested information during pendency of case.
II-330	8/13/54	Nic Waal, M.D.	Bernard Grad	Could not get visa to visit Rangeley. Reports slander of WR among Canadian psychiatrists, stems from Dr. Stoke . . . refuted by Nic Waal.
II-352	9/24/54	Article by James Shepley, Cly Blair Jr.	U.S. News and World Report	"The Story of the Hydrogen-bomb" Outlines obstruction and "emotional paralyzing deadlock" via J. Oppenheimer in development of H-bomb, giving Russia the advantage.
II-361a	11/17/ 54	Opinion and Order Civil Action 1056	Judge Clifford U.S. District Court	Application for intervention denied. Long and irrational document stating that action is against WR in personam.
II-364	11/20/ 54	WR	E. Baker, M.D.	"Please be advised splitting off of physicians from my realm typical hoodlum tactics."
II-382	11/12/ 54	Report	William Moise	Describes FDA intrusion at Little Organon (Tucson) 9:30 a.m.
II-382a	11/12/ 54	Report	William Moise	Intruders return 12 noon, after being asked to leave the property previously and not return without first asking for appointment . . . WR sees Marshal but refuses to see Inspector.

<i>Ref. No.</i>	<i>Date</i>	<i>From Kind</i>	<i>To By</i>	<i>Subject</i>
II-585	12/30/ 54	Report	Grethe Hoff	Inspector wants to question WR. wants to inspect "everything;" is not on official mission, asked U.S. Marshal to come along only as friend. Notice of inspection not accepted by WR.
II-423	March 1955	Legal Brief	Charles Haydon Counsel for Elsworth Baker, M.D. et al.	134 page record appendix to brief for appellants. Outlines position and legal argumentation of interveners.
II-521	9/22/53	M. Crowther	WRF	Acknowledges receipt of OR Blanket.
II-583	12/28/ 54	Summary	Eva Reich, M.D.	Evidence that FDA used Mala Fide in selection of cases for complaint. 8 out of 10 cases probably were plants. 2 were of people who returned accumulator for financial reason, though they appreciated its effects.

Date: ~~October 6, 1955~~ October 6, 1955

To: Commissioner
Food and Drug Administration
Room 3460
Department of Health, Education and Welfare
Fourth Street and Independence Avenue, Southwest
Washington 25, D. C.

From: John Edgar Hoover, Director, Federal Bureau of Investigation

Subject: WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

Reference is made to my memorandum to you dated September 24, 1954, captioned "Orgone Institute Press, Publishing House of the Wilhelm Reich Foundation, Post Office Box 153, Rangeley, Maine," and my memorandum to you dated July 13, 1955, captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning."

Enclosed are two copies each of letters dated September 16 and September 23, 1955, from Dr. Michael Silvert, 50 Grove Street, New York 14, New York. These communications are not being acknowledged by this Bureau, and we contemplate no further action in this matter at this time. For your information, copies of these communications have been made available to the Criminal Division of the Department of Justice and to United States Attorney Peter Mills.

Enclosures (4)

RECORDED-11

20 OCT 12 1955

NOTE: See Jones to Nichols memo dated ~~September 30~~ ^{October 5}, 1955, captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning." DCL:age

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MAILED 4
OCT - 6 1955
COMM - FBI

Handwritten signatures and initials, including "V. J. Jones" and "W. J. Nichols".

SAC, Boston (100-22660)

October 6, 1955

Director, FBI (105-11461)

50301

WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning
(Espionage)

ReBulet of June 24 and July 13, 1955, captioned as above.

Attached are two copies each of letters dated September 18 and 23, 1955, from Dr. Michael Gilbert, 50 Grove Street, New York 14, New York. These letters have not been acknowledged by the Bureau. No investigation is currently desired in connection with the allegations of espionage violations described by correspondent.

You are instructed to make one copy of each letter available to United States Attorney Peter Ellis for his information, and he should be advised that two copies of these communications are currently being referred to the Criminal Division of the Justice Department and to the Commissioner, Food and Drug Administration, Department of Health, Education and Welfare, Washington, D. C.

Enclosure (4)

COMM - FBI
OCT 6 - 1955
MAILED 10

cc - New York, with copy of each enclosure.
2 cc's - Miami, with 2 copies of each enclosure.

ATTENTION SAC: For your information, the Bureau has received such correspondence from officials of the Orgone Institute Research Laboratories, Inc., 50 Grove Street, New York 14, New York describing alleged incidents in a "Red Fascist conspiracy" directed at the Wilhelm Reich Foundation on the part of representatives of the Food and Drug Administration, Department of Health, Education and Welfare. The Orgone Institute and the Wilhelm Reich Foundation are identical, a pseudo-scientific laboratory specializing in cancer research.

RECORDED-45

There is a civil case, *U.S. vs. Wilhelm Reich Foundation et al.*, in process at the present time involving injunction which FDA has obtained against the Wilhelm Foundation to prohibit its representatives from transporting certain medicines, literature and devices bearing false and misleading claims in interstate commerce. On June 22, 1955, it was learned from the Criminal Division (See next page)

NOTE: (See next page)

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(7)

MUMFORD

Handwritten signatures and initials, including "APR", "R.A.S.", and "G.M.O.".

50302

Letter to Boston

October 5, 1955

of the Department of Justice that the United States Attorney at Portland, Maine, desired copies of communications which this Bureau receives from this group's representatives.

Bureau investigation of Wilhelm Reich Foundation in 1950 disclosed no activities harmful to the United States, and in view of its character and background, current letters from its representatives are not being acknowledged by the Bureau.

It has been noted that Dr. Michael Silvert's letter dated September 23, 1955, indicated a copy for the Resident Agency in Tampa, Florida. No investigation is currently desired in connection with the allegations of impersonation violations described Dr. Silvert.

MCP: Sec Jones to Nichols Memorandum captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning" dated ~~September 23, 1955~~. DCL:age
October 5,

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-2895

September 23, 1955

Federal Bureau of Investigation
Central Office
Washington, D.C.

Gentlemen:

I wish to inform you and to place on record additional instances of typical Red Fascist (Communist) activity by alleged agents of the U.S. Food and Drug Administration (FDA). They are part of a conspiracy to kill the discovery of the cosmic life energy and its discoverer, Wilhelm Reich, M.D., Orgonon, Rangeley, Maine. Please refer to previous communications about this matter to the FBI offices in Washington, D.C., New York City and Tampa, Florida.

1. This morning, September 23, 1955, Mrs. Betty Corrodi Dunn of 15 Pierrepont Street, Brooklyn 1, New York, phoned to report two visits by alleged inspectors of the FDA. On both occasions, September 19 and September 20, she refused to open the door of her apartment and spoke to the man, whose name she did not obtain, through the closed door. He asked to be admitted to "talk about the accumulator." He said she did not "understand the facts" and that he would enlighten her. She asked him to leave and when he persisted, she threatened to call the police. He then left. Mrs. Dunn was frightened and I reassured her.

2. In June of this year, an alleged inspector of the FDA visited Miss Lillian Okst who owns a liquor store in Port Jefferson, New York. Miss Okst, who had seen me briefly for medical care, was led to believe that the visitor was an "FBI Agent". He questioned her about her use of an orgone energy accumulator and threatened her with loss of her liquor license if she refused to cooperate. Miss Okst was greatly frightened by this visit and required considerable reassurance from me.

On September 22, 1955, at about noon, she was visited again by another alleged FDA inspector who identified himself as Mr. Feldman, a chemist. This time Miss Okst was not as frightened, but quite angry and questioned the visitor as to the reason for his visit. He said he was only interested in finding out about the "financial arrangements" which Miss Okst had made in connection with the orgone energy accumulator. He said they were in urgent need to prepare for the trial scheduled in Portland, Maine, on October 11, 1955. (The case of the FDA against Wilhelm Reich, M.D., Reich Foundation, and Michael Silvert, M.D.) When Miss Okst told him about the threat by the previous visitor to take away her liquor license, Mr. Feldman laughed, said it was "silly" and said, "He must have been in an angry mood that day."

Miss Okst refused to give any information and sent Mr. Feldman away.

RECORDED 15
INDEXED 6

Sept 23, 1955

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-2895

When Miss Okst phoned to report this incident to me, she again required reassurance. Please note that this is not the first instance of the behavior of alleged FDA agents in which they gave people the impression that they were FBI agents.

3. The following is a copy of an affidavit and an additional statement by Mr. Thomas Mangravite, 25 West Third Street, New York City. The affidavit speaks for itself. Mr. Mangravite is associated with me in basic research as an engineer in cosmic orgone energy functions:

COPY - AFFIDAVIT

July 20, 1955

REPORT ON FDA VISIT TO BELL LABORATORIES

"This morning Mr. W. W. Werring, my Sub-Department Head at Bell Telephone Laboratories, accompanied me to the office of Mr. A. C. Keller, Head of the Department of Apparatus Development. Mr. J. N. McTighe of the Lab's Legal Department was present. The meeting was called because Mr. J. Conway, Jr. of the FDA had visited Bell Laboratories on July 18, 1955. He identified himself as an agent of the U.S. Government, and asked for my employment record, age, address, background, government security clearance, etc.

"Mr. Conway informed Mr. McTighe that I was connected with an organization that had an injunction placed against it by the federal government, and that work I was doing concerning a "Viennese doctor" with a medical cure-all cabinet, was in violation of this injunction.

"I said that the facts had been misrepresented; however, the point here was that this did not concern my work at Bell Laboratories.

"It was agreed that the Bell Laboratories' concern in this matter was only in being assured that I was not using Bell Laboratories' name in my outside work, and that I was not involved in something that would interfere with my Lab work or put me in jail.

"Mr. McTighe stated that while in general the company would not have released this information without my permission, it was their policy to turn it over to a federal investigator. Mr. McTighe would not give me an affidavit stating the facts of his interview with Mr. Conway.

/s/ Thomas Mangravite

Notarization:
July 21, 1955
Frances Novick "

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-2895

COPY - ADDITIONAL STATEMENT

July 20, 1955

"I feel that the FDA visit to the Bell Laboratories to investigate my background was in no way a legitimate action.

My age, schooling, marital status, employment, war record, security clearance, etc. is none of their business.

"These matters are so far divorced from even the doubtful authority of the injunction under which they claim to act, that this incident forms a clear example of the same blatant misuse of FDA power that has characterized the history of the conspiracy against orgonomy.

/s/ Thomas Mangravite "

We shall continue to advise you of any further developments in this Red Fascist conspiracy.

Sincerely,

Orgone Institute Research Laboratories, Inc.

Michael Silvert, M.D.

Michael Silvert, M.D.
Treasurer

cc: FBI offices - New York City
Tampa, Florida

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-2895

September 16, 1955

Federal Bureau of Investigation
Washington 25, D.C.

Will. L. Stokes, Jr.

Gentlemen:

I wish to inform you of another typical incident in the Red Fascist conspiracy, acting through the U.S. Food and Drug Administration, to kill the discovery of the cosmic life energy and its discoverer, Wilhelm Reich, M.D., Orgonon, Rangeley, Maine. In this connection, please refer to previous communications regarding this matter to the Washington, D.C., and New York City offices of the FBI.

The following incidents were reported to me today, September 16, 1955, by telephone by Mr. Ed Dunn, 1631- 25 Avenue South, St. Petersburg, Florida. (Mr. Ed Dunn and his wife, Betty Corrodi Dunn, who is now residing at 25 Pierrepont Street, Brooklyn 1, New York, have been under my medical care):

The evening of September 15, 1955, a Mr. Stokes, an alleged inspector of the FDA office in Tampa, Florida, telephoned Mrs. Dorothy Corrodi, Mrs. Betty Dunn's mother, in Sanford, Florida, and asked for Mrs. Dunn's address in New York City. He indicated that he was acting as a friend and on behalf of Mrs. Dunn and so Mrs. Corrodi gave him Mrs. Dunn's New York City address.

At 8:00 a.m. today, September 16, Mr. Stokes accosted Mr. Dunn as he left his home to go to his office. Mr. Stokes demanded entrance to Mr. Dunn's home to "inspect" an orgone energy accumulator. Mr. Dunn refused, and Mr. Stokes threatened him with a court action and with a warrant. Mr. Dunn persisted in his refusal and sent Mr. Stokes away. Mr. Stokes drove a black Pontiac sedan with FDA identification.

Mr. Dunn then wired his wife in New York to warn her of spy activity in the guise of the FDA. After receiving the wire, Mrs. Dunn phoned me in great anxiety and required considerable reassurance.

*7/16/55
9/16/55*

7/16

RECORDED - 65

105-11461-71

OCT 13 1955

INDEXED - 65

EX-107

CRIME REC.

Handwritten notes:
Dunn to
dist. copy
FBI
action on 9/16/55
see

58 NOV 8 1955

September 10, 1955

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-2695

As an officer of the Orgone Institute Research Laboratories, Inc., and a practicing physician, I wish to again vigorously protest against these unwarranted harrassment and terrorization tactics, so typical of the Red Fascists (Communists). From recent publications of the Orgone Institute, copies of which have been sent to the Washington, D.C., and New York City offices of the FBI, it appears clearly that a master mind conspirator is directing these espionage activities. Perhaps a clue can be found in the article which appeared in many newspapers of September 15, 1955, showing how the Russian Embassy in Australia served as espionage headquarters for eleven years. Is it possible that the Russian Embassy in Washington, D.C., is acting in a similar manner against the interest of the USA?

Sincerely,

Orgone Institute Research Laboratories, Inc.

*Michael Silvert, M.D.*Michael Silvert, M.D.
Treasurer

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: October 5,
1955

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
 Sizoo
Winterrowd
Tele. Room
Holloman
Gandy

FROM : M. A. Jones

SUBJECT: WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

For your information, the attached two letters dated September 16 and 23, 1955, have been received from Dr. Michael Silvert, Treasurer of the Orgone Institute Research Laboratories, Inc., 50 Grove Street, New York 14, New York, which described allegedly typical incidents in the "Red Fascist conspiracy" directed at the Wilhelm Reich Foundation on the part of representatives of the Food and Drug Administration (FDA), Department of Health, Education and Welfare. The Orgone Institute and the Wilhelm Reich Foundation are identical, a pseudo-scientific laboratory specializing in cancer research.

On June 22, 1955, it was learned from the Criminal Division of the Department of Justice that the U. S. Attorney, Portland, Oregon, desired copies of communications from this group's representatives for use in a case involving Dr. Silvert against whom an injunction has been obtained by FDA to prevent interstate shipment of devices and literature bearing false and misleading claims.

Bureau investigation of this organization in 1950 disclosed no activities harmful to the security of the United States, and it will be recalled that it was recommended and approved in my memorandum to you of April 1, 1954, that communications from this organization regarding the FDA injunction not be acknowledged. Pertinent background has previously been furnished to the Department and copies of pertinent communications have been made available to U. S. Attorney Peter J. Portland.

It is to be noted that Dr. Silvert's letter dated September 23, 1955, alleges that FDA personnel have been represented themselves as FBI Agents; however, the Impersonation Desk in the Investigative Division recommends that no action be taken in this regard in view of the background of Dr. Silvert and the Orgone Institute.

RECOMMENDATIONS:

(1) That Dr. Silvert's letters of September 16 and 23, 1955, not be acknowledged.

RECORDED - 65

105-11461-11

OCT 10 1955

Enclosures (5)
DCL:age
(3)

EX-107



REC

Jones to Nichols Memo

October 5,
~~September~~
~~October 20~~, 1955

(2) That the attached memorandum to the Assistant Attorney General Warren Olney III, with copies to Assistant Attorney General William F. Tompkins, be sent for the purpose of furnishing copies of correspondent's communications, as well as keeping the Department informed of our action in this matter.

(3) That copies of Dr. Silvert's two current letters be furnished to the Commissioner, the Food and Drug Administration, Department of Health, Education and Welfare.

(4) That the attached memorandum be sent to SAC, Boston, for the purpose of furnishing copies of Dr. Silvert's two current letters to the U. S. Attorney at Portland.

V. P. Jones

W. F. Tompkins
JA

RO

W. F. Tompkins

Assistant Attorney General
Warren Olney III

October 6, 1955

Director, FBI

RECORDED - 65

WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

EX 107

Reference is made to my memoranda to you dated June 24 and July 13, 1955, captioned as above.

Enclosed are two copies each of two letters dated September 16 and 23, 1955, from Dr. Michael Silvert, 59 Grove Street, New York 14, New York, which are self-explanatory. These letters have not been acknowledged by this Bureau, and in view of the background of the Wilhelm Reich Foundation, we contemplate no investigation of the alleged Federal Impersonation Statute violations unless advised to the contrary.

Copies of Dr. Silvert's letters are being forwarded to our Boston Office for transmittal to United States Attorney Peter Mills, and similar copies of these communications are being furnished to the Commissioner of the Food and Drug Administration.

Enclosures (4)

RECEIVED
OCT 10 1955

cc - Assistant Attorney General William F. Tompkins, with two copies of each enclosure.

NOTE: See Jones to Nichols Memorandum captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning" dated September 29, 1955. DCL:age
October 5,

(105-11461)

MAILED 11
OCT 6 1955
COMM-FBI

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Mohr _____
- Parsons _____
- Tracy _____
- Nease _____
- Quinn Tamm _____
- Tele. Room _____
- Holloman _____

(5)

OCT 10 1955

WALSH GARDNER

Handwritten signatures and initials, including "J. Edgar Hoover" and "DCL:age".

SAC, Boston (100-22860)

October 11, 1955

Director, FBI (105-11461)

WILHELM REICH FOUNDATION

Miscellaneous - Information Concerning
(Espionage)

Rebulet of October 3, 1955, as captioned.

Attached are three copies of a communication postmarked October 4, 1955, which was signed by Dr. Wilhelm Reich and William Moise of captioned organization. This communication is not being acknowledged. You are instructed to make one copy of it available to the United States Attorney, Portland, Maine, and one copy should be given appropriate local law enforcement authorities since Moise indicates he is traveling armed.

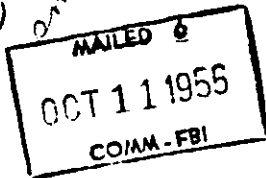
Copies are being referred to the Criminal Division of the Justice Department and to the Commissioner, Food and Drug Administration, Department of Health, Education and Welfare, Washington, D. C.

Enclosures (3)

Copy of incoming sent by form to Food and Drug Administration.

NOTE: See Jones to Nichols memo dated October 10, 1955, captioned "Wilhelm Reich Foundation, Miscellaneous - Information Concerning."

DC:sms
(4)



- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

RW

RECORDED - 33

OCT 11 1955
Handwritten initials and notes

8 NOV 3 1955

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: September 30, 1955

FROM : SAC, Miami (47-0)

SUBJECT: UNKNOWN SUBJECTS;
~~MICHAEL SILVERT~~ - COMPLAINANT
IMPERSONATION

Under date of 9-27-55, Miami received the attached letter dated 9-16-55 from MICHAEL SILVERT, Treasurer, Oregone Institute Research Laboratory, 50 Grove Street, New York City, enclosing a copy of his letter dated 9-23-55, which he directed to the Bureau and the New York Office, in which he complains concerning the activities of the Food and Drug Administration Agents who are apparently investigating his activities.

Inasmuch as SILVERT alleged that FDA Agents have allegedly misrepresented themselves as FBI Agents, it is suggested that New York interview SILVERT to determine if an impersonation violation exists.

Inasmuch as it is not known by this office what action might already have been taken in connection with this matter, SILVERT's letter of 9-16-55 has not been acknowledged. It is suggested that New York acknowledge it at the time he is interviewed.

Enclosure - 1
HRA:mjs
(5)

ENCL.

2 cc - New York (Encl.-1)

Handwritten notes:
M.D. Jones
M.C. Jones
10/1/55

INDEXED - 75
RECORDED - 75

CONSISTENT
(#105-1146)

2 OCT 3 1955

EX-108

SIX

50 OCT 27 1955

001 50 1000 0210002

Vertical handwritten note:
WILSON REICHERT

Handwritten initials:
F.A. Jones

C
O
P
Y

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 Grove Street, New York 14, N. Y.

Watkins 9-2895

September 16, 1955

Federal Bureau of Investigation
Tampa
Florida

Gentlemen:

I wish to inform you of another typical incident in the Red Fascist conspiracy, acting through the U.S. Food and Drug Administration, to kill the discovery of the cosmic life energy and its discoverer, Wilhelm Reich, M.D., Orgonon, Rangeley, Maine. In this connection, please refer to previous communication regarding this matter to the Washington, D.C., and New York City offices of the FBI.

The following incidents were reported to me today, September 16, 1955, by telephone by Mr. Ed Dunn, 1631 - 25 Avenue South, St. Petersburg, Florida. (Mr. Ed Dunn and his wife, Betty Corrodi Dunn, who is now residing at 25 Pierrepont Street, Brooklyn 1, New York, have been under my medical care):

The evening of September 15, 1955, a Mr. Stokes, an alleged inspector of the FDA office in Tampa, Florida, telephoned Mrs. Dorothy Corrodi, Mrs. Betty Dunn's mother, in Sanford, Florida, and asked for Mrs. Dunn's address in New York City. He indicated that he was acting as a friend and on behalf of Mrs. Dunn and so Mrs. Corrodi gave him Mrs. Dunn's New York City address.

At 8:00 a.m. today, September 16, Mr. Stokes accosted Mr. Dunn as he left his home to go to his office. Mr. Stokes demanded entrance to Mr. Dunn's home to "inspect" an orgone energy accumulator. Mr. Dunn refused, and Mr. Stokes threatened him with a court action and with a warrant. Mr. Dunn persisted in his refusal and sent Mr. Stokes away. Mr. Stokes drove a black Pontiac sedan with FDA identification.

Mr. Dunn then wired his wife in New York to warn her of spy activity in the guise of the FDA. After receiving the wire, Mrs. Dunn phoned me in great anxiety and required considerable reassurance.

105-11161-97

ENCLOSURE

September 16, 1955

As an officer of the Orgone Institute Research Laboratories, Inc. and a practicing physician, I wish to again vigorously protest against these unwarranted harrassment and terrorization tactics, so typical of the Red Fascists (Communists). From recent publications of the Orgone Institute, copies of which have been sent to the Washington, D.C., and New York City offices of the FBI, it appears clearly that a master mind conspirator is directing these espionage activities. Perhaps a clue can be found in the article which appeared in many newspapers of September 15, 1955, showing how the Russian Embassy in Australia served as espionage headquarters for eleven years. Is it possible that the Russian Embassy in Washington, D.C., is acting in a similar manner against the interest of the USA?

Sincerely,

Orgone Institute Research Laboratories, Inc.

/s/ Michael Silvert, M.D.

Michael Silvert, M.D.
Treasurer

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.
ORGONE ENERGY MEDICAL SUPERVISION

80 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-28

October 8, 1955

Federal Bureau of Investigation
Central Office
Washington, D.C.

Gentlemen:

We wish to report three additional incidents in the long, drawn-out attack by certain people in and behind the U.S. Food and Drug Administration upon the discovery of the cosmic orgone energy and its discoverer, Wilhelm Reich, M.D. Orgonon, Rangeley, Maine:-

1. Copy of affidavit by Miss Camille Thruston, employed as secretary of the Orgone Institute Press at 311 West 11th Street, New York City.
2. Copy of statement by Miss Aurora Farrer, 104 Northbrook Lane, Bethesda, Washington, D.C.
3. Telephone report on October 5, 1955, by Cecille Gelles, 72 Curley Street, Long Beach, New York: An alleged inspector of the U.S. Food and Drug Administration visited her home in her absence and spoke to her mother. The man asked questions about an orgone energy accumulator which the mother knew nothing of. During the interview, Mrs. Gelles arrived and sent the man away without giving him any information. Mrs. Gelles was quite frightened and required reassurance.

Sincerely,

Michael Silvert
Michael Silvert, M.D.

*Memo ABET
200
10-20-55
JDA
10-20-55
MGR*

*2 ENCL
10*

RECORDED - 10

INDEXED - 10

105-11461-75
49-144

12 OCT 11 1955

INT SEC

~~OCT 28 1955~~

OCT 2 1955

August 16, 1955

Report of Encounter between FDA and Camille Thruston, Secretary, OIP

On August 16, 1955, as I came to the Orgone Institute Press, Distribution Office, a group of men who hang around the store told me that two men had been there asking questions about when I came to work, etc. They said that they "looked important." The ~~mark~~ mark was what made me suspect the FDA. They told the two men that I was in and out and that they could not tell them a definite time that I could be reached.

Around 3:00 p.m., as I was leaving the office, someone jiggled the back door knob. I opened the door, and a man was standing there. He said "Miss Thruston?" I said "No." He said something to the effect that they had questions to ask me, and remarked about the noise (the street is being repaired in front of the office). He then beckoned Mr. Ledder, who was at the front door, who then came back, smiled, and also remarked about the noise. They both showed their badges, introduced themselves, and asked me to come in to talk with me, as they couldn't hear because of the noise. Their names were respectively, Mr. Conway and Mr. Ledder. I said I could give them no information. They asked how I knew I couldn't since they hadn't asked me anything yet. I said that I didn't know what they wanted.

They then asked if I were Camille Thruston, and did I not pick up mail at Box 72, Station. I affirmed this. They then asked who I worked for. I said the Orgone Institute Press. They said "Isn't that Dr. Silvert?" I said "No, it is the Orgone Institute Press." They asked if my checks were not from the OIP, signed by Dr. Silvert, and I affirmed this. "Well, isn't he the OIP?", they asked. I said "No."

I then asked them to leave, and again added that I could give them no information. I was in the doorway and they were on the sidewalk, they said they could stand there as long as they wished - or something to that effect. They then asked if there were a convenient time that they could see me. I said that I could not give them more information.

About this time, Mr. Conway leaned down to pick up a package which I had at my feet. I grabbed for it, and he said "I was just getting it out of your way so you wouldn't bump out the door."

When I said I could give them no information, Mr. Ledder said "Is that your instruction?" I said no - that they had no right to ask me these questions. He said that they wanted but something about I did not have to answer them.

I then again told them that I could give them no information and that I was busy and had to leave. I left - and they walked up the street.

Notes: Ledder did most of the talking. He is a short, heavy-set man, perhaps 50, dark hair.

Conway is a football player type - rather heavy set - dark hair.

Both of them smiled a great deal.

105-111161-75
47-43141-2
/s/ Camille Thruston
ENCLOSURE

September 28, 1955

TO WHOM IT MAY CONCERN:

About noon on a week-day somewhere between August 1-13 of this year my home was visited supposedly by the FDA. Since I was not home at the time it is not possible for me to give any of the direct conversation.

My mother answered the door for what she called "two young respectable professional men", who showed cards indicating they were from the FDA. As close as she can remember they asked the following questions:

1. Have you ever heard of Wilhelm Reich?
2. Do you take any of his literature?
3. Have you ever bought an accumulator?

My mother's impression was that they were seeking statements from people who had tried an accumulator and found it beneficial. She felt they left thinking her quite ignorant. (My mother knows almost nothing about Wilhelm Reich or any phase of his work, unfortunately.)

/s/ Aurora Karrer

105-11461-75
~~47-45747-2~~
ENCLOSURE

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: October 10, 1955

FROM : M. A. Jones

30233

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

SUBJECT: WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

For your information, the attached copy of a communication dated October 4, 1955, signed by Dr. Wilhelm Reich and William Moise, has been received, which indicates that these two individuals associated with captioned Foundation describe one of their contacts with a Food and Drug Administration representative, and Moise states that Dr. Reich made him put his rifle back in his car.

You will recall that an injunction has been obtained by the Food and Drug Administration to prevent captioned organization from shipping in interstate commerce devices and literature bearing false and misleading claims. The Wilhelm Reich Foundation, also known as the Orgone/Orgone Institute, is a pseudo-scientific laboratory specializing in cancer research.

The Bureau is not currently acknowledging communications from representatives of this Foundation; however, upon the request of the Criminal Division of the Department, copies are being forwarded to the United States Attorney, Portland, Maine, and to the Food and Drug Administration.

RECOMMENDATIONS:

1. That the attached memorandum to the Assistant Attorney General Warren Olney III, with copy to Assistant Attorney General William Tompkins, be sent to continue to keep the Department informed of our action in this matter.

2. That the attached memorandum be sent to SAC, Boston, for the purpose of furnishing copies of current communication to the United States Attorney, Portland, Maine, and to appropriate local law enforcement authorities since Moise indicates he is traveling armed.

Enclosures (3)

DCL:sms
(3)

RECORDED-95
INDEXED-95
12 OCT 18 1955
129

W.A.

Protocol

Rangleley, Maine
September 28th, 1955

50299

Dictated by Wilhelm Reich, M.D. 8:30 pm. 9/28/55

I was driving down the road at about 6:30 pm. to go to the movies when I saw a black car at Tom Ross's place. I stopped on the Balger road and waited. The car drove out and came towards me. I stepped into the middle of the road and raised my hand to stop the car. The car did not stop as was to be expected from any car. I saw the Massachusetts license but only the numbers 71. Then I spoke to Tom Ross. He said it was Kenyon. I asked why he didn't report it and he said he had had no occasion to yet but was going to. He said that Kenyon had asked him some questions. I drove after Kenyon. I drove to Rangleley and saw the same car standing in front of the motel at the entrance to Rangleley town. I stopped and had the woman of the motel knock at the door of no. 4 of the motel. Nobody answered. The car was still outside. I knocked several times and nobody answered. I intended to make an arrest and drove to Collins and had Elden Collins (the town constable) come down to his father's place. I wanted to make a citizen's arrest and asked if he would help me. Collins said that it was beyond his help and that he wouldn't go. I therefore called Noice and asked him to come down to the motel. Then I drove through town and looked in the several restaurants, the Grant's, the french restaurant, and the Inn. Kenyon wasn't anywhere eating. He hid. I returned to the Motel and had my car beside his. Still nobody answered. After a long while, about a half an hour at about 7:30 pm. Kenyon came out of his dark room and asked me whether I wanted something. He was visibly frightened. I asked him whether he was at Orgeon. He said no, he was not at Orgeon. I asked him whether he saw me stopping his car on the Badge road and why he didn't tell me. I asked him who sent him and he said the FBI. I asked him who in the FBI sent him. Larrick had sent him on official business. Now I asked him whether he would go to the observatory to answer a few questions. No he said he wouldn't; that it was too late for him. Then I asked him whether it was too late for him to be a spy at Tom Ross's place 2 months ago at about 9:30 to frighten me with out of him. He was waiting for Noice to arrive to make a citizen's arrest with the help of Sheriff Hawkins in Farmington. Present at some of the above happenings were Mr. Noice, owner of the Motel and Mr. Caruthers, owner of the toy factory in Rangleley. I told Kenyon that he is a servant of the people; that he is not the state, nor the FBI. We are not in Soviet America yet. When I told him he was a spy he didn't protest or deny it, but was generally very frightened. At the end, about 8:15 pm. he went into his room. he was called out by a knock at the door by Noice and he was told by me that he better not show his face at Orgeon again; that he was a spy and that he could sue for libel if he wanted to. He was also told that he was in good hands and that is why we did not make an arrest. All went very quiet with no noise, no upheaval, no nothing.

10-10-55
W. Reich
W. Reich

Dictated to me by Wilhelm Reich
 William Noice. 9/28/55
 Wilhelm Noice

* Mr Kenyon said he had been to the house of Mr. Ross but did not know this
 to Orgeon

ENCLOSURE

I was called by Dr. Reich to come to the Motel, that Kenyon was there and had been to Tom Ross's. I arrived at the Motel a little after 7:30 pm. I parked my car and took out my rifle. WR told me to leave the rifle in the car. Kenyon was standing in front of his cabin and had just refused to go out to Orgonon and answer a few questions... I shortly after called Sheriff Hawkins' office in Farmington. I couldn't get hold of Sheriff Hawkins but spoke with Sheriff French. I told him that there was one of the spys here which I had talked previously with Sheriff Hawkins about; that we were considering arresting him on a citizen's arrest but that I wished Sheriff Hawkins to come up and question him. His name was Kenyon, an alleged inspector of the FDA. Deputy French tried to get hold of the Sheriff but couldn't. I asked if he could come up. He said no that he was the only one on duty. Kenyon was told that we were considering arresting him and when asked how he would like being arrested he said he wouldn't. Kenyon did not deny or protest once during the several times WR (Wilhelm Reich) called him a spy. After WR's final warning to Kenyon not to show his face at Orgonon again, we left, and returned to the Observatory.

At 9:20 I called the FBI office in Boston, Mass. and spoke with night supervisor Wilson. I gave my name, where I was calling from. I told Mr. Wilson that I was with the Orgone Institute's OROP Desert Ea. but was calling in my capacity as EPPO (Emotional Plague Prevention Office). I told him that the Institute was engaged in basic research. I was calling to report a spy. His name was Kenyon, an alleged inspector for the FDA. He was in cabin #4 at the motel in Rangeley. The license no. of his car is P 71-957. We recommend that the FBI arrest this man as a spy. I related the events of the evening pointing out the following behavior;

1. Kenyon did not stop on the road when Dr. Reich signalled for him to stop.
- 2.
3. Instead Kenyon hid in his cabin; hid in a darkened room for about 1/2 hour.
4. Kenyon refused to answer any knocks at his cabin door.
5. Kenyon said he did not know that Tom Ross's place belonged to Orgonon. He thought it belonged to Tom Ross. Kenyon was not as bashful in 1952 when he broke through the chains at Orgonon and trespassed.
6. Kenyon refused to come to Orgonon and answer a few questions.
7. When Dr. Reich called him a spy he did not protest or deny it and was generally frightened.

I continued and told Mr. Wilson that there was ample evidence in the Archives of the Orgone Institute showing clearly this espionage affair and showing clearly Kenyon was a spy. We would be very glad to make this material available to them. The FBI in Washington had a complete file on the affair also the Boston office had a file on the case of William Washington. This had been reported to the Boston office sometime in 1950. Mr. Wilson asked for a description of Kenyon and asked for the telephone numbers where he could reach us if necessary.

William Moise
William Moise
EPPO (Emotional Plague Prevention
Office)
Rangeley, Maine 9/28/55

ENCLOSURE

Assistant Attorney General
Warren Olney III

October 11, 1955

Director, FBI

50297

WILHELM REICH FOUNDATION
Miscellaneous - Information Concerning

Reference is made to my memoranda to you dated June 24,
July 13, and October 9, 1955, captioned as above.

Enclosed are two copies of a communication postmarked
October 4, 1955, signed by Dr. Wilhelm Reich and William Noise,
which are self-explanatory. These letters are not being acknowledged
by this Bureau; however, in view of the fact that Noise advises
that he is traveling armed, a copy of this communication is being
transmitted by our Boston Office to appropriate local law enforce-
ment authorities.

Copies of these letters are also being made available
to the United States Attorney at Portland, Maine, and to the
Commissioner of the Food and Drug Administration, Washington, D. C.

cc - Assistant Attorney General William F. Tompkins, with two copies
of enclosure

Enclosures (2)

NOTE: See Jones to Nichols memo captioned "Wilhelm Reich Foundation,
Miscellaneous - Information Concerning," dated October 10, 1955.

(105-11461)

DCB:sms
 Tolson _____
 Boardman _____ (4)
 Nichols _____
 Belmont _____
 Harbo _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Sizoo _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Gandy _____

MAILED 11
 OCT 11 1955
 COMM - FBI

6870V3 135

Office Memorandum • UNITED STATES GOVERNMENT

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
 Sizoo
 Winterrowd
Tele. Room
Holloman
Gandy

TO : Mr. L. V. Boardman

DATE: October 20, 1955

FROM : A. H. Belmont

SUBJECT: WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(INTERNAL SECURITY)
 Bufile 105-11461

Letter of 10-8-55 from Dr. Michael Silvert, Orgone Institute Research Laboratories, Incorporated, New York City, states three more attacks have been made by U. S. Food and Drug Administration (USFDA) Agents against cosmic orgone energy (promoted as a cancer cure) and its discoverer Dr. Wilhelm Reich, Rangeley, Maine. The letter and its two enclosures describes three recent interviews made by USFDA Agents regarding probable receipt of cosmic orgone energy material by individ

Bufiles reflect Orgone Institute is identical with the Wilhelm Reich Foundation which has been discredited by Atomic Energy Commission and against which an injunction was issued to stop distribution of its material at request of USFDA. Security investigation of Institute in 1950 did not disclose any activity contrary to country's internal security. On basis of memorandum from Mr. H. A. Jones to Mr. Nichols of 4-1-54 communications from Dr. Silvert, his last letter dated 9-23-55, and representatives of the Institute have not been given acknowledgment. Copies of communications from Orgone Institute officials have been furnished to Criminal Division because of the injunction and to the Internal Security Division inasmuch as results of the security investigation were furnished to that Division. Furthermore, some of the Institute's publications contend the action that was taken by USFDA was instigated by subversives within the Government. The files contain no evidence that the injunction against the Institute has been terminated.

RECOMMENDATION:

No acknowledgment be afforded correspondent's letter in line with policy followed in the past, and copies be furnished for information to Assistant Attorneys General Olney and Tompkins, USFDA, New York and Boston Offices.

RECORDED 54 105-11461-15

- Attachments
 cc - Mr. Boardman
 Mr. Belmont
 Mr. Baumgardner
 Mr. Rozamus

12 OCT 25 1955

MJR:fmb
 (5)

cc - Mr. Boardman
Mr. Belmont
Mr. Baumgardner
Mr. Rozamus

105-11461

RECORDED

54

105-11461-77

-6

October 20, 1955

To: Commissioner
Food and Drug Administration
Room 3460
Department of Health, Education and Welfare
Fourth Street and Independence Avenue, Southwest
Washington 25, D. C.

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(INTERNAL SECURITY)

Reference is made to previous copies of communications forwarded to your Agency which were received by this Bureau from officials of the captioned Foundation.

As of possible interest to your Agency, there is enclosed a copy of a letter dated October 8, 1955, together with a copy of each of its two enclosures, received at this Bureau from Dr. Michael Silvert, New York, New York.

The correspondent's letter has not been acknowledged, and this Bureau contemplates no further action in this matter.

For your information, copies of correspondent's communication have been made available to the Criminal Division of the Department of Justice.

The enclosed is for your information and any action you consider warranted and should not be distributed outside of your Agency.

enclosure

NOTE: Attachment to memo Mr. Belmont to Mr. Boardman, re same dated 10-20 -55, MJR:fmb

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

MJR:fmb
(7)

MAILED 11
OCT 20 1955
COMM - FBI

5 NOV 1955

Boardman
Belmont
Baumgardner
Mr. Rozamus

Assistant Attorney General
Warren Olney III

October 20, 1955

Director, FBI

WILHELM REICH FOUNDATION
WILSONIAN - INFORMATION CONTAINING
FBI File 105-11461
(INTERNAL SECURITY)

Reference is made to my memorandum dated October 11, 1955,
captioned as above.

Enclosed is a copy of a letter dated October 8, 1955,
together with a copy of each of its two enclosures, received at this
Bureau from Dr. Michael Silvert, New York, New York.

In accordance with the policy that has been followed in
the past by this Bureau regarding communications received from
correspondent and representatives of the captioned foundation,
correspondent's letter is not being acknowledged.

Inasmuch as the contents of correspondent's communication
appear to be of interest to the Food and Drug Administration, a
copy of his communication is being furnished to that Agency.

Enclosure

2cc - Assistant Attorney General
William F. Tompkins

(Enclosure)

cc - Boston *(Enclosure)*
New York *(Enclosure)*

NOTE: Attachment to memo Mr. Belmont to Mr. Boardman, re same,
dated 10-20-55, MJR:fmb

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

MJR:fmb
(11)

RECORDED-9

MAILED 11
OCT 20 1955
COMM - FBI

27 OCT 25 1955

66 NOV 1 1955

Memorandum UNITED STATES GOVERNMENT

Mr. Tolson

DATE: 10/26/55

FROM :

L. B. Nichols

SUBJECT:

WILHELM REICH

Tel.
Dir.
Asst. Dir.
Adm. Serv.
Ident.
Insp.
Intell.
Lab.
Legal Coun.
Plan. & Insp.
Rec. Mgmt.
Spec. Inv.
Training
Off. Liaison & Int. Affs.
Telephone Rm.
Director's Sec'y

During the course of the U. S. Attorney's conference on 10/7/55, I discussed the above-captioned subject with U. S. Attorney Peter Mills of Portland along with Mr. Joseph McGuire, General Council of the Pure Food and Drug Administration. Reich is the subject of an injunction proceeding banning his shipment of a so-called orgone energy accumulator. This was the subject of a press release by the Attorney General on 2/10/54. Reich is currently being brought up on a contempt proceeding because he has not followed the terms of an injunction and in this connection, the Bureau has received various letters from Reich which we have not acknowledged but which we have referred directly to the Pure Food and Drug Administration for such action as they care to take.

Joseph McGuire states he has the Photostats sent by the Bureau and believes that the communications contain some admissions against interest on the part of Reich and his associate. McGuire plans to make reference to Reich's correspondence to the Bureau during the contempt proceeding provided the Bureau has no objections to his doing so. McGuire further stated if the case ever does go to trial he will possibly want to utilize the originals of Reich's correspondence to the Bureau although he has no need for the originals at this time. He asked to be advised in the next several days telephonically (Code 176, Extension 3237) as to whether the Bureau has any objections to his making refer to correspondence which Reich has had with the Bureau and which we referred without acknowledgment directly to the Pure Food and Drug Administration.

It is recommended that the Investigative Division review the file on this matter so that Joseph McGuire can be informed as to whether or not any reasons exist why he should not make reference to this correspondence in the contempt proceeding which will be heard one week from this Friday, namely, 11/4/55.

WEC:
cc - Mr. Boardman
Mr. Belmont
Mr. Rosen

JJM:c
(5)

Belmont
to Boardman
11/1/55

NOV 27 1955

NOV 28 1955

P.D. 2
Cream Ridge, N.J.
October 31, 1955

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

Will be...

On November 4th at 2 P.M. in the Federal Court House in Portland, Maine, there will be a hearing in the case involving Dr. Wilhelm Reich and the Food & Drug Administration. Dr. Reich will be acting as his own lawyer, it having proved so far that the usual legalistic procedure bars access to facts.

Motions submitted by Dr. Reich to Judge Clifford are enclosed. We are sure they will be of interest to you.

Sincerely yours,

William Steig

William Steig
Emotional Flague Prevention Office

*11/2/55
no action taken
no action taken*

RECORDED - 65

105-11441-80
7 NOV 2 1955

INDEXED - 65

317
52 NOV 8 1955

8 *[initials]*

C O P Y

October 24, 1955

The Honorable John D. Clifford
U. S. District Court
Federal Court House
Portland, Maine

Dear Judge Clifford:

As counsel for defense I would like to submit to you a solution to the problem before the Court which I believe will be satisfactory to everybody concerned.

Careful study of the nature of the legal procedures of the complainant reveals the fact that the FDA achieved success so far on an empty factual basis by using skillfully most elaborate procedural techniques. Should they further succeed in this manner, I would as a consequence land in jail innocently for contempt of court, due to the fact that procedural maneuvering won the case, based on no facts at all.

On the other hand, should I succeed in bringing my factual evidence into court and onto official protocol, there can be little doubt that those would land in jail who have, as I have charged in open hearing, perpetrated illegal misrepresentation of facts upon this Court.

As a responsible professional citizen I firmly believe that the truth must at all cost see the light of day, unmarred by procedural rignarole.

As a physician at the sickbed of society, and as a scientist, I am not interested in getting anyone into jail, even if guilty of crime. I am convinced that jail is an antiquated institution inept to solve social problems except in keeping criminals (or what the established law adjudges as criminals today) out of social circulation. Although the FDA and those behind it who have conspired to kill the discovery of Life Energy, are out to kill me "ad personam" too, I feel no such ambitions regarding my enemies. Not because I pity them, but because it would not accomplish anything useful for society and a better handling of human affairs in the future upon this suffering planet.

I therefore submit that the available evidence in the hands of both FDA and Orgone Institute be opened up for inspection in public hearings; furthermore that the total legal issue involved be handled publicly, as a master example of Social Pathology.

It would be most interesting to see how the formal, conventional legalistic procedures would meet with the new attempts in Social Biopsychiatry to study and settle human affairs in open court hearings. Dr. Silvert and I would then work in our professional capacity as scientific workers representing the EPPO, the "EMOTIONAL PLAGUE PREVENTION OFFICE."

105-11461-80
ENCLOSURE

It has been established some time ago to cope with the pathological activities on the social scene of emotionally sick individuals, not to find ways to counteract efficiently on a rational and emotional basis, what has been termed the "Emotional Plague", as reported in a brief statement to Congress in 1932. The "Emotional Plague" is the same social disease, which is being called "Juvenile Delinquency", "Crime", etc., in the language of the law.

I firmly believe that this would be to the great benefit of every citizen concerned; and that our society would gain a great deal in the struggle for clarification of nature of social pathology. I hope this Court will agree with this procedure; otherwise, I am afraid we would face only more of the legalistic formalistic entanglement of factual truth as practiced by the opponent, a procedure which I believe the Court dislikes and finds barren as much as everybody else.

I am looking forward to the opportunity to present the "social disease" which appears as "crime" in legal procedure.

My recommendation to establish "Boards on Social Pathology" in the courts represents a positive, socially useful solution instead of the present negative, socially sterile charge of contempt of court. In the legal, a factual procedure re-legal nature is added.

This recommendation should be regarded, in case of acceptance by the Court, as replacing an already a Second Motion which would be a charge of false or misrepresentation of facts and other unlawful procedures perpetrated in this court as the part of the complainant in Civil Case 1955 and Criminal Case 5037. The Second Motion would be filed with the Court in case my first motion is not agreed to by the complainant and not accepted by the Court in open hearing.

I shall call your office on Wednesday, the 20th, to learn whether you would accept my first motion to be introduced into open court for hearing on November 4. In this the fate of the Second Motion will depend.

Sincerely,
J. Edgar Hoover

J. Edgar Hoover
Director, Bureau of Investigation
October 24, 1955

(Signed)

J. Edgar Hoover
Director, Bureau of Investigation

WFO, Case No. 1, (1055 and 5003 before First District Court, Maine)

NOTION:

to produce factual evidence before the court to show why some basic principles of western law procedures must be restated in order to prevent that truth and fact be continually prevented from appearing in court by the use of misrepresentation of fact, arbitrary procedural maneuvering, concealment of fact and outright lies camouflaged by alleged government representation.

Restatement of Basic Principles of Procedure in both Science and Jurisdiction

1. A defendant acting as his own counsel for the defense must be treated as an equal in all respects to the counsel for the complainant.
2. No defendant is considered guilty unless proven guilty.
3. Even the convicted defendant has a right to decent, truthful treatment.
4. Procedure must serve the finding of factual truth and must not be abused to entangle the defendants, their lawyers or the judge.
5. Judgement must be based on factual evidence, never on opinion alone.
6. Jurisdiction must consider all sides of the case before the court, since the main objective of procedure in court is to ascertain the factual truth, which is pertinent to the case in question.

105-11461-80
ENCLOSURE

MOTION

TO DISMISS THE CASE AGAINST ORGONOLY COMPLETELY
AND TO REPLACE THE CONCEPT OF COURT CHARGES
BY THE RECOMMENDATION TO ESTABLISH
"BOARDS ON SOCIAL PATHOLOGY" IN THE COURTS
OF THE U.S.A.

105-11461-85

RECOMMENDATION TO ESTABLISH "BOARD OF SOCIAL PATROLOGY" IN THE U. S. COURT

1. ACTION:

To dismiss the amended information on charge of Contempt of Court No. 500,
presented by Wilhelm Reich as counsel for defense representing EIFO
(Emotional Illage Prevention Office), The Wilhelm Reich Foundation at the
hearing before the District Court of Portland, Maine, November 4th, 1955.

I respectfully submit to this Court my first motion to dismiss the
amended information regarding the contempt of court charge and to replace
it by the following recommendation by EIFO, the Emotional Illage Prevention
Office of the recently formed Citizen's Professional Committee.

Careful study of the nature of the legal procedures of the complainant
reveals the fact that the FDA achieved success so far on an empty factual
basis, by using skillfully most elaborate procedural techniques. Should
they further succeed in this manner, I would as a consequence land in
jail innocently for contempt of court, due to the fact that procedural
maneuvering won the case, based on no facts at all.

On the other hand, should I succeed in bringing my factual evidence
into court and onto official protocol, there can be little doubt that
those would land in jail who have, as I have charged in open hearing,
perpetrated illegal misrepresentation of facts upon this Court.

As a responsible professional citizen I firmly believe that the truth
must at all cost see the light of day, unmarred by procedural rigmarole.

As a physician at the sickbed of society, and as a scientist, I am
not interested in getting anyone into jail, even if ~~is~~ guilty of crime. I
am convinced that jail is an antiquated institution inept to solve social

problems, except in keeping criminals (or what the established law adjudges as criminal today) out of social circulation. Although the FBI and those behind it who have conspired to kill the discovery of Life Energy, are out to kill me "ad personam" too, I feel no such ambitions regarding my enemies. Not because I pity them, but because it would not accomplish anything useful for society and a better handling of human affairs in the future upon this suffering planet.

I therefore submit that the available evidence in the hands of both IFA and Gyrozone Institute be opened up for inspection in public hearings; furthermore, that the total legal issue involved be handled publicly, as a master example of social pathology.

It would be most interesting to see how the formal, conventional legalistic procedures would meet with the new attempts in social Biopsychiatry to study and settle human affairs in open court hearings. We inventors would then work in our professional capacity as scientific workers representing the EMO, the "EMOTIONAL PLAGUE PREVENTION OFFICE."

EMO has been established some time ago to cope with the pathological activities on the social scene of emotionally sick individuals, and to find ways to counteract efficiently on a medical and educational basis, what has been termed the "Emotional Plague", as reported in a brief statement to Congress in 1952. The Emotional Plague is the same social disease, which is being called "Juvenile Delinquency", "crime", etc., in the parlance of the law.

I firmly believe that this would be to the great advantage of everybody or everything concerned; and that our society would lead once more in the struggle for clarification of matters of social pathology.

I hope this Court will agree with this procedure; otherwise, I am afraid we would face only more of the legalistic, formalistic entanglement of ~~Central Truth~~ as practiced by the opponent, a practice which I believe the Court dislikes and finds barren as much as everybody else.

Oregon
Rangley, Maine, USA
October 24, 1955

(Signed) Wilhelm Reich, M.D.
Counsel for the Defense
1955

copy
EPPO, Case No. 1

Case 1056 and 5003 before First District Court, Portland, Maine, 1954-1955

MOTION by Counsel for Defense:

To Dismiss Amended Information 5003 on the Ground of Illegal Misrepresentation of Facts.

I respectfully request and Move to be heard on factual evidence at the hearing to be held November 4th, 1955, and to show that:

1. Illegal misrepresentation in court of pertinent facts;
2. Illegal concealment from court of pertinent facts;
3. Illegal procedural maneuvering contrary to fact, truth and justice have been perpetrated upon your court,

in both Civil Action 1056 and the following Criminal Charge 5003.

Orgonon
dangeloy, Maine, USA
October 24, 1955

(signed) Wilhelm Reich, M.D.
Counsel for Defense
EPPO

Quotation From IT'S A GUIDE TO MODERN LEGAL PRACTICE
by Francis W. Marshall, LL.B., LL.M.
New York, Wm. H. Wise and Co., Inc., 1949, Pp. 42-44

What are the elements of fraud?

Deceit and fraud, if not acted upon, or if not accompanied by injury, are moral, not legal wrongs. It is of the very essence of an action of fraud or deceit that the same shall be accompanied by damage.

In a suit for rescission of a contract for the purchase of land upon the ground of a fraudulent oral misrepresentation of an existing material fact affecting the value of the land, the fact about which the misrepresentation is made must be one the true nature of which is not capable of being ascertained by the exercise of reasonable effort on the part of the one to whom the misrepresentation is made.

Stokes et al. v. Victory Land Co., 99 Fla. 759, quoted by Buford, J. in Stephens v. Coon, 177 So. 191, Fla. 1937.

What do the courts generally say of fraud?

As a rule fraud is never presumed. We have said that the proof must be clear, cogent, convincing, positive, and satisfactory. We have said that the evidence of fraud must preponderate to the degree of overcoming all opposing evidence and repelling all presumption of good faith. Where a transaction is fairly susceptible of two constructions the one which will free it of the imputation of fraud will be adopted. Likewise, when fraud is alleged, it must be proved and cannot be inferred from facts consistent with honesty of purpose.

Bayless, Brotherhood of Railroad Trainmen v. Brown, 71 F. 2nd 742

Must there be damage in order for there to be fraud?

Damage is an element of fraud in the law. He only who has trusted in and acted upon a falsehood to his injury can maintain an action of fraud.

Deception, which does not cause loss, is not fraud in the legal sense.

Allen, C.J., Record v. Rochester Trust Co., 192 A. 127, N.H. 1937

Is fraud ever presumed?

Fraud is never presumed, but must be proved by clear and satisfactory evidence by the party asserting it, and if the facts and circumstances from which the alleged fraud is supposed to arise may reasonably consist with honest intentions, it will not be imputed.

Allen v. Riddle, 141 Ala. 621, quoted by Morgan, C.J. in Green v. Buick, 74 P. 2nd 85, Idaho 1937

Why is fraud never presumed?

Fraud is never to be presupposed, but must be established by convincing proof by the greater weight of the evidence, as men are presumed to be honest and their dealings with one another are assumed to be just and without taint.

Byerly v. Byerly, 363 III. 517. Quoted by Riess, J. Beery v. Hurd, N.E. 2d 656, III. 1938

ENCLOSURE

105-114/101

How must fraud be proved?

Fraud is never presumed, but must be proved by such clear and convincing evidence as leaves the mind well satisfied that the allegations are true. The relationship of the parties is merely a circumstance which may excite suspicion, but will not alone and of itself amount to proof of fraud.

Hess, J., Bedford County Nat. Bank of El Paso v. Conklin,
10 N.S. 24 194, III. 1937

How must a cause of action for fraud be explained to the court in papers known as pleadings?

Fraud is a conclusion of law which is based upon facts. This is elementary. It may not be charged in general terms with any efficacy. The facts relied upon to constitute fraud must be stated, and this is an imperative requirement. The addition of the word "fraudulent" to an allegation, otherwise insufficient on its face, will not take out a case under the statute.

Brogan, C.J., Station of Clee, 198 A. 470, 119 N.J.L. 310, 1933

What may a court say of the nature of the misrepresentation that the law considers as fraudulent?

Where a party represents a material fact to be true to his personal knowledge as distinguished from belief or opinion, when he does not know whether it is true or not, and it is actually untrue, he is guilty of falsehood, even if he believes it to be true; and if the statement is thus made with the intention that it shall be acted upon by another, who does so act upon it to his injury, the result is actionable fraud.

Hochester Bridge Co. v. McNeill, 189 Ind. 423, 1919, quoted by Fessler, J., in Metropolitan L.I. Co. v. Seersft, 12 N.S. 24 193 Ind. 1935, who further said:

It is the injury caused by the misrepresentation of fact that the law protects against. If the misrepresentation was brought about by forgetfulness or mistake it is just as injurious as an intentional fraud. It accomplishes a fraud upon the other contracting party by inducing him to act upon a false premise, where he would not have acted had he known the truth. Whether it be caused by negligence, or actual fraudulent purpose, good intention or bad, the result is the same. There is no meeting of the minds. It was not necessary for the jury to find as a fact, if there is misrepresentation of a material matter the law constructs the fraud.

Ibid. pp. 300-301

What is a conspiracy and what are some of its features?

Conspiracy has been defined as a confederation of two or more persons to accomplish some unlawful purpose or a lawful purpose by some unlawful means.

The existence of a conspiracy must be proven, however, not only by direct evidence but also by inference from conduct, statements, documents and facts and circumstances which disclose a common design on the part of the accused persons and others to act together in pursuance of a common criminal purpose. When a conspiracy is established every act or declaration of any of the conspirators in furtherance of the common purpose is regarded as an act binding all. All the steps by which the crime was brought about, including every act of each of the conspirators in furtherance of the common purpose, may be shown.

Wilson, J., People v. Link, 6 N.E. 2d 201, 365 Ill. 266, 1937

Is it necessary in a conspiracy that there be a formal agreement between the parties?

In order to constitute a conspiracy it is not necessary that there should be any formal agreement between the parties concerned. It is enough that there is a "natural purpose" to do the forbidden act, that there be a common design that there is a "concurrence of sentiment and co-operative conduct in an unlawful and criminal enterprise."

"It is well settled that a formal agreement of the parties concerned is not essential to the formation of a conspiracy. It is sufficient if there be concert of action, all the parties working together understandingly with a single design for the accomplishment of a common purpose."

Fowler v. U.S., 273F. 15.

Maltbie, C.J., State v. Kemp, 9 A. 2d 63, 126 Conn. 60, 1939

How is a conspiracy usually proved?

An unlawful combination, like any other substantive fact, must be established by sufficient evidence. Where it is direct and positive, the question of sufficiency is answered. The jury may then pass on the credibility of the witnesses. But, when a charge of crime is sought to be sustained by circumstantial evidence, the hypothesis of guilt should flow from the facts and circumstances proved, and be consistent with them all. The evidence must be such as to exclude to a moral certainty every hypothesis but that of guilt of the offense imputed, the facts and circumstances must not only be consistent with and point to the guilt of the accused, but they must be inconsistent with his innocence. It is the duty of the trial judge, after the evidence of the commonwealth has been fully produced, to determine as a matter of law whether the proof has been sufficient in volume and quality to overcome the presumption of innocence, and thus put the accused to a defense.

Com. v. Benz, 318 Pa. 465, quoted by Rhodes, J. in Com. v. Goldberg, 126 A. 539, 130 Pa. Super. 252, 1938.

Case #1055 and 5003 before First District Court, Portland, Maine, 1954-1955

NOTICE by Counsel for Defense:

To Show and Correct Several Logical Errors in Procedural Formulations.

1. Logical meaning of legal provision to "show cause."

The obvious logical meaning of the provision in the relevant statute is to give the one accused of contempt of court the opportunity to clear himself of the charge and not to be prosecuted any further if he succeeds "to show cause why (the defendant) should NOT be punished for criminal contempt".

It requires a decision whether to dismiss the charge OR to put the defendant before a jury. The defendant, if successful in showing cause by factual evidence why he should not be held in contempt of court, is freed. If unsuccessful, he is put before the jury.

2. The error from formulation "Dismissal AND Trial."

A seemingly insignificant word "AND" was interpolated between the provision of the opportunity for the defendant to FREE HIMSELF of the charge of contempt of court OR (NOT "AND") the further legal privilege to present his evidence a jury.

To order that the defendant should be BOTH, freed by dismissal of charge AND suffer a trial is a serious error of legal formulation, if not unlawful. The writs and orders are required to be "lawful"; i.e., true and logically correct to be legally enforceable. (Evidence 1)

which has in the past procedures misleadingly connected the words "DISMISSAL" with the word "TRIAL" , by the word "OR", in order to fulfill the true meaning of the statutory opportunity offered to the one accused of contempt of court to show cause by factual evidence why the case should be dismissed.

Orgonon
Rangeley, Maine, USA
October 24, 1955

(Signed) Wilhelm Reich, M.D.
Counsel for Defense
KFFO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

UNITED STATES OF AMERICA

v.

ORDER TO SHOW CAUSE
IN CRIMINAL CONTEMPT.

THE WILHELM REICH FOUNDATION
a Maine Corporation, WILHELM
REICH, and
MICHAEL SILVERT, Defendants.

Upon the information and application for orders to show cause why The Wilhelm Reich Foundation, a Maine Corporation, Wilhelm Reich, and Michael Silvert, should not be punished for criminal contempt filed in this case by the United States Attorney for this District, it is this 15th day of July 1955, by the United States District Court for the District of Maine.

ORDERED that the defendants, The Wilhelm Reich Foundation, a Maine corporation, Wilhelm Reich, and Michael Silvert, appear personally before this Court at the United States Courthouse in the Post Office Building in Portland, Maine, on the twenty-sixth day of July, 1955, at 1:30 P.M. E.S.T. to show cause why they should not be punished for criminal contempt of the decree of injunction issued by this Court on March 19, 1954, arising out of disobedience of this injunction as charged in the aforesaid information and application and it is further

ORDERED that if said defendants appear at the aforesaid time and deny that they have disobeyed said injunction as charged, a trial date will thereupon be set by this Court.

Dated: July 15, 1955

/s/ John D. Clifford, Jr.

United States District Judge

A true copy of original filed July 15, 1955
Attest:

/s/ Morris Cox

Morris Cox, Clerk

ENCLOSURE
105-11161-3

HALES AND DORR
Counsellors at Law

James D. St. Clair

60 State Street, Boston 9

October 3, 1955

Dr. Wilhelm Reich
Argonne Institute
Rangeley, Maine

Dear Dr. Reich:

Thank you for your letter of September 29th.

I am informed by Judge Clifford's Law Clerk that you are to be re-arraigned under the amended indictment and that you, together with ourselves, should be in Court on Monday, October 10th at 1:00 p.m. We will, at that time, also present further motions to dismiss and arrange for a trial date.

We could also use this opportunity to discuss with the Court your thoughts relative to your conducting a portion of your defense.

Very truly yours,

(signed) James D. St. Clair

James D. St. Clair

ENCLOSURE

105-11061-30

COPY

EVIDENC III

UNITED STATES DISTRICT COURT
For The District of Maine
Office of the Clerk

Portland 8, Maine

October 20, 1955

Dr. Wilhelm Reich
Rangeley
Maine

Dear Dr. Reich: Re: U. S. A. vs The Wilhelm Reich
 Foundation, Wilhelm Reich and
 Michael Silvert - Criminal
 No. 5003

This is to advise you that the date set by the Court for hearing on the Motion to Dismiss the Information, and on all other motions which counsel desire to file has been changed from October 25 to November 4, 1955, at 1:30 P.M.

Judge Clifford made it clear in open court that he expected the parties to file and be prepared to proceed with hearing on any and all motions which they intended to file, since he did not desire to delay trial because of motions filed from time to time, which required hearings.

He has also requested me to advise you that all motions should be in writing and should be filed at least five days before November 4, 1955.

Very truly yours,

(signed)

Morris Cox

MC/es

Morris Cox, Clerk

Motion by Dr. W. L. Silvert, M.D. to Dismiss Case No. 105-11461-1 by Food and Drug Administration (FDA) on Grounds of Illegal Misrepresentation of Facts and Illegal Procedural Maneuvering.

Firstly, the FDA, in answer to intervention by Dr. Silvert (Dr. Baker et al. Record Appendix to Brief for Appellants) exempted him from the injunction (A-100). "Nevertheless, since they were not parties to the original proceeding, their activity in the field of Orgonomy remains unrestricted, even with regard to matters barred by the decree, so long as they act independently of the named defendants", and again, ".....the applicants do not have an absolute right to intervene....because the default decree is not and cannot be res judicata as to them". This procedural maneuver enabled the FDA to get at Wilhelm Reich, M.D. "in personam" (A-128): "The original proceeding was an in personam action...

Having got what they wanted, i.e., the isolation of WR by this procedural blocking of intervention by Dr. Silvert and 14 other physicians, they then turned around and charged Dr. Silvert with contempt of court for removing books and orgone energy (OR) accumulators from Orgonon, Rangeley, Maine. In this he acted freely with his full right as a physician and officer of the Orgone Institute Research Laboratories, Inc., specifically exempted by the FDA from the injunction and without knowledge or consent of WR, who was busy with desert research in Nevada. With this illegal procedural maneuver, they ignored their own prior exemption of Dr. Silvert, which had served their end of WR's isolation.

On October 18th, 1955, in open court, Mr. Maguire, FDA counsel, said: "I am not interested in the science of orgonomy; the doctors are free to use and prescribe OR devices". Yet, in blocking intervention, the FDA says (A-100): ".....the plaintiff realleges....that OR, described by WR and stated by him to be capable of being collected and accumulated in an OR accumulator, does not exist". Meanwhile, alleged FDA agents have molested patients of Dr. Silvert and other physicians in the New York area, Florida and elsewhere, and at times have

ENCLOSURE
105-11461-1

given the impression that they were FBI agents, with power to remove a business license unless the patient "cooperated" with their "investigation" of the OR accumulator. An alleged FDA agent even visited the Bell Telephone Laboratories in New York City to make inquiries about Thomas Mangravite, who is employed as a research engineer, and to suggest that he was an undesirable employee because of his association with a "Viennese doctor with a medical cure-all cabinet". Mr. Mangravite is Dr. Silvert's technical assistant. Miss Camille Thruston, employed by the Orgone Institute Press as secretary, was also visited by all FDA agents, who inquired about financial and other matters. By illegal misrepresentation of facts, alleged FDA agents have induced the Bureau of Drugs and Cosmetics of the New York City Department of Health to prosecute Dr. Silvert and Mr. Mangravite for alleged refusal to permit inspection of premises where OR accumulators and other basic research material is stored. According to Department Supervisor Handelsman, "We are not interested in your equipment; FDA asked us to send a man along." Thus, Mr. Maguire's statement given above is an illegal misrepresentation of what he is actually interested in accomplishing: the killing, nothing less, of the discovery and knowledge of OR. He also stated in open court that he is not interested in WR's "rainmaking". This, too, is highly suspect, as he knows full well that Dr. Silvert is an Organon Weather Control Operator in the New York area.

The FDA again and again employs the phrase, "interstate commerce" to describe the non-profit distribution by the OIRD of OR accumulators prescribed by the physicians whom the FDA themselves exempted from the injunction. This is a misrepresentation of fact and an abuse of a useful term, so that, like other useful terms which have been abused and so lost their original usefulness, it threatens to become a "magic phrase", a mere shibboleth, to conceal actual fraud and the emptiness of their allegations, and the lack of jurisdiction by court and government over matters of basic natural science.

Michael Silvert, M.D.
• 50 Grove Street
New York 14, N.Y.

Picklers: Boardman
Mont
Nichols
Wacks

Assistant Attorney General (orig & 1)
Warren Olney III

November 1, 1955

Director, FBI

**WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)**

Reference is made to this Bureau's communication dated June 24, 1955, in instant matter.

Mr. Joseph McGuire, General Counsel, Food and Drug Administration, has advised this Bureau that he believes that communications received by us from various officials of the captioned Foundation which were furnished to the Food and Drug Administration contain some admissions against interest on the part of Reich and his associates. He stated that, in connection with the current injunction against the Foundation, a hearing is to be held on November 4, 1955, with respect to an alleged contempt on the part of Wilhelm Reich and the Foundation for violation of this injunction. Mr. McGuire advised that he intends to make reference to these communications during the contempt proceedings and, in the event of a trial, he may desire to utilize the originals of these documents. This Bureau is advising Mr. McGuire that we have no objection to his contemplated use of the documents which we furnished to the Food and Drug Administration.

This Bureau has furnished to the Food and Drug Administration copies of the following communications sent to this Bureau by officials of the Foundation:

- 1) A letter from the Orgone Institute Press (signature illegible) dated September 15, 1955.
- 2) A telegram from Dr. Michael Silvert dated June 16, 1955.
- 3) A letter from Dr. Silvert dated June 25, 1955.
- 4) A letter from Dr. Silvert dated September 16, 1955.

MAILED 8
NOV 2 1955
COMM-FBI

RECORDED-6

EX-118

20 NOV 3 1955

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

Enclosures (10)

A cover memorandum from Belmont to Boardman was prepared by JFW:hpf:jmm on 11-1-55 in connection with this outgoing mail. JFW:gms.

NOV 8 1955

V. Lee
gms
for [unclear]
2012

**Memorandum to Assistant Attorney General
Warren Olney III**

- 5) A letter from Dr. Silvert dated September 23, 1955.
- 6) A memorandum dated September 28, 1955, captioned "Dictated by Wilhelm Reich, M. D."

You have previously been furnished copies of all of the foregoing with the exception of the letter of September 15, 1954. A copy of this letter is enclosed, as well as a copy of our letter to the Commissioner, Food and Drug Administration, dated September 24, 1954.

Our files reflect that, in addition to the afore-mentioned communications, other letters and telegrams from various officials of the Foundation have been directed to me since the filing of the complaint seeking a permanent injunction against this organization. A copy of each of these communications described as follows is enclosed:

- 1) A telegram from the Orgone Institute dated March 22, 1954.
- 2) A telegram from the Orgone Institute dated March 23, 1954.
- 3) A telegram from "The Wilhelm Reich Foundation Ilse Ollendorf Clerk" dated March 30, 1954.
- 4) A telegram from "The William Reich Foundation McCullough Clerk" dated September 26, 1954.
- 5) A letter "To the High United States District Court Portland, Maine," from William Noise dated October 11, 1954, a copy of which was designated for me.
- 6) A letter from "Wilhelm Reich, M. D." to Mr. Charles Hayden with a copy designated for me. This letter is undated, but our copy was received on January 20, 1955.

**Memorandum to Assistant Attorney General
Warren Olney III**

7) A letter from Noise dated April 7, 1955.

8) A telegram from Noise dated June 17, 1955.

**This Bureau has no objection to the use of
these communications in any proceedings against the
Foundation.**

105-11461

Office Memorandum • UNITED STATES GOVERNMENT

TO : L. V. Boardman

DATE: November 1, 1955

Tickers: Mr. Boardman
Mr. Belmont
Mr. Nichols
Mr. Wacks

FROM : A. H. Belmont

Tolson
Boardman
Nichols
Belmont
Harbo
Mohr
Parsons
Rosen
Tamm
 Sizoo
Winterrowd
Tele. Rm.
Holloman
Gandy

SUBJECT: WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING (ESPIONAGE)

Subject is head of Wilhelm Reich Foundation, aka, Orgone Institute, which is a pseudo-scientific laboratory specializing in cancer research. Our investigation of this organization in 1950 disclosed no activity harmful to security of U.S. On 2-10-54 Attorney General announced the filing of a complaint seeking permanent injunction to prevent interstate shipment of devices and literature put out by this group. At present, Reich is charged with contempt for violation of this injunction.

We have received numerous telegrams and letters from various officials of Foundation alleging a conspiracy against Foundation and furnishing details of its work. Six of these communications have been sent to Food and Drug Administration (FDA). On 10-7-55 Joseph McGuire, General Counsel, FDA, advised he believes these communications contain some admissions against interest on part of Reich and his associates; that he intends to make reference to these communications during the contempt proceedings; and that in the event of a trial, he may desire to utilize originals of these documents. He wanted to be advised whether Bureau has any objections.

The six communications mentioned above consist of:
1. a letter from Orgone Institute Press (signature illegible) 3-15-54, which sets out that "authentic documentary material" concerning the FDA attack on the Foundation is being forwarded by separate communication; 2. a telegram from Dr. Michael Silvert 6-16-55 charging that "a Moscow-directed conspiracy" was being leveled against Foundation by FDA agents; 3. a letter from Silvert 6-28-55 making same non-specific charge based on FDA investigation; 4. a letter from Silvert 9-16-55 including other non-specific incidents in the "Red Fascist conspiracy" against the Foundation; and 5. a Silvert letter 9-23-55 alleging that FDA personnel have been representing themselves as FBI agents. No investigative action was taken in this regard in view of background of Silvert and the Orgone Institute; 6. A copy of a memo 9-28-55 "Dictated by Wilhelm Reich, M.D." describing an alleged contact with an FDA investigator. Copies of all of these documents with the exception of item 6 have been furnished the Department. The USA, Portland, is prosecuting this matter in conjunction with FDA.

59 NOV 9 1955
Enclosure sent 11-2-55
*RANGELEY, MAINE
INDEXED - 43

Memorandum to Mr. Boardman

RECOMMENDATIONS:

1. That Joseph McGuire, FDA, (Code 176, Extension 3259) be advised by Mr. Nichols' office that Bureau has no objection to his contemplated use of afore-mentioned documents.

11/2
Don
by H. L. ...
Singer

2. That we advise the Department of McGuire's request and our reply to him.

3. That we furnish a copy of item 4 to the Department together with other pertinent communications received from the Foundation since 2-10-54 and advise the Department that we have no objection to the use of these communications in any proceedings against the Foundation. It is noted that from our standpoint the contents of these communications are innocuous.

A memo to AAG Olney is enclosed.

Handwritten signatures and initials: G.H.J., V. G., J.M., J.P., J.C., J.D., J.E., J.F., J.G., J.H., J.I., J.K., J.L., J.M., J.N., J.O., J.P., J.Q., J.R., J.S., J.T., J.U., J.V., J.W., J.X., J.Y., J.Z.

R. D. ...
Cream Ridge
Nov. 7, 1955

~~To Mr. Hoover~~
Dear Mr. Hoover -

The enclosed was to have been presented in the Federal Court House in Portland on November 4th, but motion to present it was denied.

Sincerely yours
William Steig
EMOTIONAL PLAGUE
PREVENTION OFFICE

Oct 11 11:50 AM
3-27-61
4-3-61
By [unclear]

no acknowledgment

115-11461

NOV 15 1955

NOV 15 1955

ENC. 4/6
NOV 21 1955

(Civil 1056 and Criminal 5003 before U.S. District Court of Maine, Southern Division, Acting Judge John D. Clifford Jr.)

DISCOVERY OF THE LIFE ENERGY

FACT PRESENTATION PRECEDING PRESENTATION OF FACTUAL EVIDENCE.

By Counsel for the Defense, Wilhelm Reich M.D., on behalf of KATO
ON DESERT Ka.

BASIC LEGAL DEFECT IN CRIMINAL 5003: ORIGINAL COMPLAINT 1056, PRESUMING
FRAUD, NOT BASED ON FACTUAL EVIDENCE, ON OPINION ONLY: THEREFOR UNLAWFUL.

Being a natural scientist rather than a lawyer, I derive my factual privilege to appear as counsel for the defense from the fact that the basic principles of conduct are the same in both Science and Jurisprudence.

What we called procedural rule in jurisprudence is called in science method of research. The function of both is FACT FINDING and thus the finding of objective factual truth.

Certain procedures have been developed in both science and jurisprudence to ascertain that truth based on facts be not confused with mere subjective opinions about facts.

Only "FACTUAL EVIDENCE" leads to "FACTUALLY BASED OPINION". Such opinion based on factual evidence is called "theory" in science and "legal decision" in jurisprudence.

All processes are "UNLAWFUL", within legal procedures, if their PREMISES are false. It can be shown to this court by presentation of FACTUAL EVIDENCE, that the original complaint in Civil Action 1056 was based on no factual evidence at all.

The complaint itself does not mention any facts at all in the allegation of fraud. A complaint which is not based on factual evidence is not "lawful". The law requires that processes be based on facts, and not on opinions.

ENCLOSURE

105-91461-83

Unlawful acts not only cannot be, they must not be obeyed.

The civil complaint 1056 having constituted an unlawful act, the Injunction which followed upon non-appearance of the defendants in court on March 19th, 1944, also constitutes an "unlawful" document.

From these premises it follows that the defendants are not in contempt of the court. On the contrary, those are in contempt of this court, factually, legally, and logically, who have perpetrated upon this honorable court:

1. Illegal misrepresentation of facts in court;
2. Illegal, deceitful concealment of facts from court;
3. Illegal manipulation of procedures in such a manner, contrary to truth and justice, that the truth was prevented from appearing to be heard.

Whether this was done from ignorance or arbitrary deceitfulness does not matter; it suffices to constitute fraud that this act has induced the court to act upon wrong premises in issuing the injunction.

PRESSENTATION OF FACTS

I shall by way of contraposition of allegation with opinion and factual evidence show which facts were misrepresented, which were illegally concealed from the court, and that procedural maneuvering was abundantly used to ~~misrepresent~~ misrepresentation to, and concealment from this court of pertinent facts.

PART I.

A. MISREPRESENTATION OF PERTINENT FACTS.

A 1. It is untrue that the original complaint 1056 is based on facts.

It is on the contrary, true that no facts at all appear in civil No. 1056 to support the accusation that "orgone energy does not exist". The shipping of experimental devices in interstate commerce is no crime, and by way of evidence fraud is factually shown. Factual proof of allegation of complainant.

A 2. It is untrue that the Wilhelm Reich Foundation functions for the sake of personal financial gain, and that such gain is sought and obtained by ~~the~~ the existence of an energy which "does not exist". Thus fraud is implied.

It is on the contrary, true that Wilhelm Reich is recognized as an honest scientist; that no mala fide behaviour can be imputed to him. Orgone functions in the atmosphere and beyond, as shown by hundreds of pertinent observations and experiments. The proof that these published observations and experiments false rests to the full extent of the evidence presented, on the complainant.

A 3. It was untruthfully presented to this court that the publications of Wilhelm Reich Foundation constitute labelling of a fraudulent device.

The book "Cosmic Superimposition" may serve as an example of this deceitful allegation, since it is alleged to deal with Ichthyosis, cancer, etc.

-4-

True is the very contrary, that "Cosmic Superimposition" is a book dealing with hurricanes, the orgonome shape of living beings, among them cell orgonome forms, the aurora borealis, etc., and that the word "Ichthyos" and other diseases mentioned in the complaint are not to be found in its or not in the index.

A 4. It is untrue that the injunction is a lawful order, and can be as well as must be executed.

True is that this document is the unlawful product of a diseased mind dedicated to confusion and irrational fabrication. As such it can be as ignored or disobeyed as the scream of a catatonic human being.

LIST OF PAGES SUPPORTING BASIC POINT A 4 OF IRRATIONAL FABRICATIONS (B 1 -

B 1. It was by way of procedural maneuvering put over on this honorable court that Orgone Energy is a fraud in Maine, but exists, is not a fraud does not harm, prevents no other treatment, is perfectly all right in the hands of the physicians, who including Dr. Silvert, are fully entitled to use, prescribe and do in the medical field with Orgone Energy as they please

True and a matter of logic as well as fact is, that either Orgone exists everywhere, or it does not exist at all, is a fraudulent invention, then it is so everywhere. To deny this obvious logical fact amounts to an contempt of the very court, which is to punish the discoverer of Life Energy contempt he and his assistants have never committed.

B 2. It was an untruth perpetrated on this court, that the discoverer had the power to make others stop talking about, working with, writing about, discussing his discovery.

True is that such is not the case, since the problems of Life Energy are today being talked about, discussed, written about, and worked with nearly all over the globe.

B 3 . It is untrue that the discoverer owns the books, which are distributed through the Orgone Institute Press.

True is that the discoverer never owned any books, that he did not profit from selling of the literature.

B 4 . The FDA untruthfully claimed, especially in Superior Court, that orgasmic potency had been promised to the public by way of the Orgone Energy Accumulator. This is untrue.

True is that the discoverer had never made such promises and could not have done so, since the Orgone Energy does not provide orgasmic potency. Such expectations were specifically refuted. Burden of proof to the contrary on the complainant,

B 5 . It was untruthfully alleged that cancer cures had been promised by discoverer.

To the contrary, in the "Cancer Biopathy" it was specifically stated behind the manifest cancer tumor, which at times yields to treatment, there work the true disease, the so-called "Cancer Shrinking Biopathy". Most expert treated patients had been reported dead from shrinking of the nervous life after dissolution of tumors.

B 6 . It was contrary to factual truth stated that treatment with Orgone Energy prevents patients from being treated with routine methods.

True is the exact opposite, that surgery and even radium treatment is recommended in certain cases.

B 7 . It is untrue that publications on Orgone Energy can be stopped.

True is that publications and discussions about Orgone Energy and discoverer are being published by many independent publishers both in the U.S. and abroad, beyond the reach of the discoverer.

C. These as many other facts question; that in their action the FDA represents USA interests.

~~the~~ the contrary, there exists circumstantial as well as factual evidence to the effect that the FDA represents private, commercial interests which are to the interests of the USA. There exists even evidence that interests of espionage and espionage may be involved. (C - 1, Red Thread).

C 1. True is furthermore that the U.S. Government appreciates the discovery of the Cosmic Orgone Energy.

Evidence : Temporarily Withheld.

(C - 2)

ILLEGAL CONCEALMENT OF FACTS C

C 3. The FDA in their original complaint deliberately kept from the judge the fact that the discoverer of the Life Energy is an experienced scientist physician of high standing; also that dozens of duly licensed physicians and scientists over many years were experimenting with Orgone Energy in many countries. Thus the complainant created the false impression of one man claiming all the work done by so many over decades, shortly fraud.

C 4. They concealed in the original complaint the crucial well known fact Orgone Institute was busy since 1952 in combating drought and desert development. This omission incomprehensible in connection with bona fide health officers.

C 5. The FDA acted untruthfully by not presenting to the Court ALL THE FACTS; for example the fact that a so-called "DOR-sickness" had been described in the organomic literature. DOR-sickness is a crucial fact in the evaluation of Organomic Medical Research. It is of grave concern to the public at large, suffers from its symptoms; from fatigue, dullness, nausea, "bad air", diarrhea, emotional distress, etc.

C 6 . They concealed from the court the fact that crucial positive experiential results had been obtained in various diseases, such as lung cancer (Tropp) so-called rheumatic fever (Anderson) anemia, etc. They concealed ALL such positive evidence published in the literature. They also concealed ~~the~~ the published contrindications.

C 7 . They concealed from the court the nationally decisive fact that the Orgone Institute had reported to the Government conspirational activities with regard to Oranur experimentation and the Orgone Energy Motor. They did not know upon nor consider this fact. Are they bona fide U.S. Government representatives? Mr. Maguire held a copy of the "Conspiracy, an emotional Chain Reaction" in his hand and quoted therefrom on July 28, 1955. This very volume contains documents in which crucial material pertaining to national security was exposed (C 2, p. 5, Table of Contents).

ANNIHILATION OF PROCEEDINGS

In order to win by all means, including illegal ones, they changed again and again their legal position.

First they impounded all literature, all correspondence, all matters of the Orgone Institute and of ALL affiliates; later they were innocently "only after the accusation". (Original Injunction C - 6)

At first all physicians and all associates were enjoined; when this did not work, it was the discoverer "in personam" only; the physicians were specifically exempted from the terms of the injunction.

At first they had THEMSELVES among other physicians exempted Dr. Michael Silvert. Then they charged the very same Dr. Michael Silvert, exempted at that time, with contempt of Court, when he did, what he fully, lawfully was entitled to do, namely as an exempted physician to take the material to New York to his own address.

In other words the FDA manipulated the procedure according to their preconceived design to destroy the discovery of Life Energy.

this they were assisted by a badly misled and misinformed prosecuting attorney, whose duty according to lawful procedure it was to secure factually based justice, and not conviction by illegal fruitless means. (quote duty of District Attorney).

Should the court further permit such illegal maneuvering, maneuvering to pay all costs by fraudulent means, - the FDA would certainly try, not hesitate to call in a psychiatrist to declare by mere authoritative opinion the discoverer insane and to imprison him in a lunatic asylum to be "shocked". Such infamy was perpetrated upon the founder of modern aseptic obstetrics, Ignaz Semmelweis by an emotionally sick, single man, by the name of Klein, a few decades ago. This must not happen again.

This is by far not the full story of deceit. There is sufficient evidence of a much deeper reaching conspiracy behind it all. I cannot believe that such of social administration of public affairs are the accepted principles of the U.S. Government. The discoverer of life energy will not yield to such abuse of authority. Just as little as I shall revoke my discovery, just as little as I will stop gravity, just as assuredly will I refuse to obey unlawful orders, obtained by deceptive means.

We are operating with grave responsibilities in matters of crucial public health. We are doing desert research, and we are combating drought (C-5). We are hard on honest professional workmen and we protest emphatically against such treatment of alleged administrative agents. With wells drying up, and trees bending in the wind like rubberhoses from loss of life energy (C-5a); with the atmosphere being so polluted causing emotional distress, malaise, confusion, nausea, intestinal disturbances, short "LDB-sickness" (C-5); in other words with life on our planet undergoing a severe crisis, we cannot afford to lose this battle. We must win, with bona fide factual presentations of things and processes as they truly are, and not as fraudulent souls or diseased minds would have them be.

One cannot forbid thinking, just as one cannot stop gravity. One can only try to overcome it or govern it. In the same vein, one cannot stop the cosmic energy of which gravity is one function at present occupying the best minds of the world.

The legal mind will necessarily join the scientific mind to secure the scientific laboratory and to safeguard it against irrational assaults by those who cling to the surface of this globe and refuse to budge. Let them cling; but do not permit them to prevent you from stretching outward into the formidable unknown.

00-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

February 23, 1956

Attached is booklet entitled
"History of the Discovery of the
Life Energy," Wilhelm Reich
Biographical Material,
Documentary Supplement No. 3,
which was sent to the Director
from Orgone Institute (Temporary
Address) Rm. 433, Alban Towers
Hotel, 3700 Mass. Ave., N.W.,
Washington, D.C.

The FBI is mentioned on page 3.

Attachment
amb (1)

Mr. Tolson	_____
Mr. Nichols	_____
Mr. Boardman	_____
Mr. Belmont	_____
Mr. Mason	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Jones	_____
Mr. Nease	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Holmes	_____
Miss Gandy	_____

Substitution
W. J. Jones

ENCLOSURE

RECORDED - 93
INDEXED - 93

FEB 24 1956

[Handwritten mark]

WILHELM REICH
Biographical Material

HISTORY OF THE DISCOVERY
OF THE
LIFE ENERGY

Documentary Supplement No. 3

A-XII-EP

ATOMS FOR PEACE vs. THE HIG



1956

ORGONE INSTITUTE PRESS

Orgonon, Rangeley, Maine

ATOMS FOR PEACE vs. THE HIG

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ATOMS FOR PEACE vs. THE HIG

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Moise) 34

ATOMS FOR PEACE vs. THE HIG

ADDRESS TO THE JURY

By WILHELM REICH, M.D.

FOR EPPO on behalf of THE DISCOVERY OF THE LIFE ENERGY.
First District Court, Portland, Maine, prepared for
trial December 1, 1955, not held at that date.

Introduction

It is with deep regret and with disgust that such an address to an American Jury had to be conceived and prepared for trial of the discoverer of the Life Energy on December 1, 1955. The trial was not held; it was tentatively postponed. The Higs who had instigated the scandalous affair were still busy to "build their case," as they said. They had none, nothing whatever. The "Address to the Jury" is being published as a historical document of the second half of the XXth century as witness to the situation of mental pathology.

Ladies and Gentlemen of the Jury:

THE INJUNCTION AN UNLAWFUL ORDER

The injunction against Orgonomy which underlies the present procedure was unlawfully obtained. Unlawful is what is not based on fact, what is illogical, irresponsible, contrary to truth or adverse to human welfare.

Unlawful orders must not be obeyed. Judicial opinions if not based on factual evidence are unlawful opinions; therefore, they are not

"*The Law*" no matter whether proclaimed by judges or attorneys of any kind. Judges are subject to human error just as is everybody else; therefore, the requirement that opinions be based on factual truth must be strictly adhered to. These are basic principles of both science and jurisprudence, as old and as sacred as human life itself.

It is possible to recognize the *Hig* (*Hoodlum In Government*) in time by his abuse to evil ends of the confusion which exists regarding such basic issues. As prototype of the *Hig* we may well take the terrorist Beria, the head of the Russian secret police. Beria once said: "Any fool can commit a murder. It takes an artist to make it suicide or accident..." (Cookridge, *The Web That Covers The World*, p. 253). It is great art, too, to make the Discovery of the Life Energy look like fraud and to arraign the discoverer as a defendant for contempt of court through an American Court of Justice.

To exemplify: if the judge were to order me to jump into a lake, it would be an unlawful order but I could do it. I could argue about its unlawfulness and refuse to obey; or I could be frightened to the extent of thinking that what a judge orders is *always the law*, to be obeyed.

The injunction against orgonomy however is not of that kind. It is both *unlawful* and *unobeyable*. It is as if I were requested to grow within 10 days green elephant tusks — or else... Nothing could illustrate better the request that I stop the world from talking, thinking, acting, reading about cosmic orgone energy.

The discoverer is a scientist and a physician, not a lawyer. Therefore a deep gap is to be bridged between the parlance of natural science and the parlance of jurisprudence if they are to meet on common ground. I am speaking here and acting as counsel for the *Discovery of the Life Energy*, also called the "*Primordial Cosmic Energy*." You are here as representatives of the people, duty bound to find the truth and to protect the interest of the public. You are, according to our constitution, above State, Government and Court. Your well-reasoned verdict is the only one that will count.

The issue today before you is whether or not the Discoverer and one of the Directors of the Orgone Institute Research Laboratories, Inc., Dr. Michael Silvert, are in criminal contempt of court as charged by the agents of drugs and cosmetics. The contempt charge was made on purely procedural grounds, such as whether the injunction was obeyed or not.

The Discoverer and his assistants *do not deny* that they have ignored the injunction. On the contrary, the discoverer of the Life Energy wishes to make it clear that he was ready to resist the execution of the injunction to the utmost. He would do it again under the same circumstances.

The central and crucial issue was the *intrusion* by agents of the drug industry into our domain of cosmic energy, i.e., *pre-atomic* engineering research. From the very beginning the standpoint was maintained that such intrusion would be resisted. The workers and personnel of the laboratories were instructed to keep the agents of the drug industry off our premises. The *orgonomic* physicians were determined not to permit these drug agents to pry into the private affairs of emotionally sick people under treatment by duly licensed physicians and psychiatrists. Later, steps were taken to call the police to arrest the impostors and to report the *Hig intruders* to the FBI.

When the agents of the drug industry pressed forward toward fulfillment of an unfulfillable, unconstitutional, unlawful injunction, chains were set up at Orgonon; no cars were permitted to pass through them; the workers were armed with rifles to resist the intrusion by the *Higs* even by force if necessary. Judge Clifford in Portland, Maine, and the U.S. Marshal were informed of the reasons for these measures; the U.S. Marshal was asked to phone Rangeley 99 before coming to the Observatory in order to prevent a major mistake. The conspiracy has been reported to other responsible agencies of the USA.

While the drug agents kept hiding and conspiring, we kept everything in the open; we informed the authorities of each important step and sent the necessary information about the conspiracy against the discovery of the Life Energy to the FBI and the Central Intelligence Agency. We are determined to get this conspiratorial scandal into the open before the public of the world. We are, as scientific workers in *Basic, Pre-atomic Research* as well as professional citizens, responsible to the world community for what happens to the Discovery of the Life Energy.

WHY DID THE DISCOVERER OF THE LIFE ENERGY NOT APPEAR IN COURT?

He did not appear in court because he refused to take orders from Moscow Higs through an American Court to be squashed to pulp.

Is this resistance against a conspiracy "contempt of Court"?

Of course it is not. We pleaded "not guilty" because it was the discoverer of the Life Energy who in his letter to the acting judge of February 25th, 1954* put his trust into the judgement of the court. And it was again the discoverer who pointed out to the court the two basic points of the case which precluded his appearance as defendant in the civil suit 1056 of February 10, 1954, namely:

1. *Lack of Jurisdiction of both court and government in matters of basic natural science, and*
2. *The existence of a complicated conspiracy to destroy the discovery of the Life Energy in the USA for both political and commercial reasons, apart from more basic emotional, irrational, biopathic motives of single persons involved.*

In both respects it was the civic duty of the discoverer and his assistants to resist the assault on the discovery, and to set a precedent to the effect that never again should such infamous conduct be permitted to harass discoveries. It should be plainly stated that in a similar situation such infamy would be resisted again. Even in warfare disobeying certain irrational orders is duty.

Not the whole background of the conspiracy was clear at the time (February 1954), but enough had been understood to warrant such unusual, even drastic steps as non-appearance in court and active resistance to the unlawful order.

How now can our pleading "NOT GUILTY" be reconciled with such measures to protect our discovery?

This contradiction is the result of the deep gap between the factual, scientific, truthful approach and the formalistic, legalistic, procedural maneuvering *without basis* in fact. If anything useful should come out of this court action, it should be at least the realization of what *empty, factless procedure* does to kill the truth. Millions of simple people are today in jails or in lunatic asylums for this single fact alone. *Formally*, legally the FDA represents the U.S. Government; *factually* it represents in this case private interests directed against the interest of the public at large.

You, ladies and gentlemen of the Jury, will have to decide whether the Discoverer of the Life Energy and the present director of the Orgone Institute Research Laboratories are *truly, FACTUALLY* guilty of

criminal contempt of this court by not having executed the terms of the injunction. I said "factually" because a judgement such as "guilty" or "not guilty" to be rendered by you must take into account the following *factual* questions:

1. *Why did the discoverer of the Life Energy not appear in court in March 1954, in the first place, to defend his discovery against an agency which claimed authoritatively, without offering factual proof, that ORGONE ENERGY did not exist?*

2. *Why did the discoverer of the Life Energy after a default decree was obtained by the complainant refuse to comply with the terms of the injunction? WHY DID HE FURTHERMORE KEEP EVERY SINGLE AGENT OF THE ADMINISTRATION OF FOODS, DRUGS AND COSMETICS OFF THE PREMISES OF THE ORGONE INSTITUTE, AND WHY HAD HE ADVISED EVERYBODY CONCERNED TO REFUSE ANY INFORMATION OR ACCESS TO THESE DRUG AGENTS OVER THE YEARS TO THIS VERY DAY? There must have been very important reasons to have taken such risks.*

3. *Why did the discoverer of the Life Energy take the further grave risk of exposing himself and his fellow workers to a criminal contempt charge for not "obeying" the terms of the unconstitutional injunction? There must be very grave reasons for a serious, renowned and widely read natural scientist to take such risks.*

THE FEAR OF LEGALISTIC RIGMAROLE

The jury will needs have these questions in its realm of judgement should true justice be done *based on facts*, and not on legalistic factless procedure only.

Some of our best, most reliable workers at the research laboratories were frightened at the prospect of going to court and having to deal with a *criminal* contempt charge; they were men of science or medicine, clean and clear in whatever they were doing. I reminded them *that courts of justice are on principle places which administer truth*; they are not places of butchery. I know that Dr. Silvert was frightened, and I must confess I did not feel unafraid either, although I am a seasoned man of public affairs. Why are people or why should people be frightened to go to court? They undoubtedly are. The truth is, they are afraid to get entangled in legalistic rigmarole and to be squashed to

pulp. Are they entirely wrong? Of course *not*. There is a great deal of truth to such fear. Legal language and procedures are *foreign, strange* and frightening in themselves to ordinary people.

It is far better to stand here accused of a *criminal contempt of court which one has not committed* rather than to stand in court as a defendant against drug and cosmetics agents after having discovered the primordial cosmic energy. What has, in truth's name, the basic organomic question whether the universe is filled with a massless energy, functioning according to

$$E = mc^2$$

to do with drugs and cosmetics? *What are drug inspectors doing here at all?*

So much is certain: the assailants will never survive their infamous assault upon such crucial work.

CRUCIAL DISCOVERIES HAVE AGAINST THEM:

1. The very power they dispossess.
2. The established kind of thinking they are to change.
3. The laxity and lassitude of the representatives of the old ways of being.
4. The established financial, moral or religious interests thriving on the out-worn type of existence.
5. The Higs of all denominations and abominations, the very devil, who rides with evil and deceit on the back of a sorrow-ridden humanity.
6. The hesitations, doubts, miracle-seeking attitudes of the friends of the discoverer.
7. The outright traitors, the Judases of all races and faiths and nations.
8. And last but not least, the most modern development of this holocaust of evil, the organized, politically and militarily armed leadership of evil, the massmurderers, hangmen, biopathic offal of humanity, the Higs who thrive and ride to power on the backs of a silenced, hard-working, trusting, hoping, praying humanity.

CRUCIAL DISCOVERIES HAVE ON THEIR SIDE:

1. The simple power of the least bit of truth.

HUMAN IRRATIONALISM

7

2. The prayers of the multitudes for truthful living emerging daily from millions of hearts.
3. The principles of good government, truth, fact, justice *based on fact* (not on opinion only), clean administration of *public interests*, and not of a few commercial highway robbers and drug Higs.
4. The sense of cleanliness inherent in everybody.
5. The stars above and the fat black earth beneath.
6. Love, Work and Knowledge, the foundations of good society, rooted in natural work democratic interrelations.

The task before us is to let what creates and supports life rule this planet of ours.

HUMAN IRRATIONALISM AND AMERICAN LAW STRUCTURE

The legal issues at stake in the "Emotional Conspiracy Against the Discovery of the Life Energy" are the following:

1. Neither the American nor, as far as known, any other law system has provisions to guard Life, Love and Work as well as Knowledge against the ravaging abuses of human liberty and happiness by human irrationalism in the "Emotional Plague." EITHER: human character structure is to a great extent irrational, then laws must be considered to cope with this irrationalism. Human irrational motives in judicial complaints, in the judgement of court proceedings, in the administration of justice must be included in the proceedings of justice; they must not be excluded. OR: there is no human irrationalism active in all walks of life, then let the advocates of this obsolete view continue on their hopeless path of social administration in the perpetuation of the agonies of juvenile "crimes," psychotic breakdowns and social miseries of every kind. Then burn books in a free-for-all fight against decent conduct and truthful living.
2. Neither the American nor any other law system is aware of the existence and basic importance to all life on this planet of a universal Life Energy in the atmosphere. EITHER: this energy, as discovered between 1936 and 1955 by Wilhelm Reich, M.D., exists and determines our lives, emotions, religious beliefs, social strivings, etc. Then let its existence and importance be written into laws to govern this domain of nature; then also, let those human beings who went berserk at the

From this visit by commercial and political conspirators grew the present legal case. The original civil complaint which was based on nothing but arbitrary, unproved opinion, on *no fact whatever*, did not reach me until February 10th, 1951. It came as a complete surprise. Having been extremely busy with Desert Research, I was not prepared to meet the assault with the full force of the factual truth as I am now. Therefore I refused to explain and defend my great discovery against lies and distortions. Here, too, a basic principle of truthful existence was involved. The conspiratorial nature of the original civil complaint (1056) was immediately clear to me. To appear as a defendant against this product of sick minds would have established an evil precedent: *from then onward anyone who disliked a discovery could, by mere precedent, entangle it in complicated lawsuits and thus sap its strength.* This could not be permitted to happen.

I put my trust into the hands of Judge Clifford (See letter of February 25th, 1951). I knew that drug interests were out to kill the discovery of the Life Energy. Therefore I dodged this first assault. I sent a perfectly, legally valid statement, the *Response*, to Judge Clifford. In this response I expounded, to repeat, basically two points:

I denied jurisdiction to either court or government in matters of basic research. Oronomy had never been denied the honor of being in the realm of Basic Research. The Atomic Energy Commission had expressly consented to this. (See AEC Statement, *Oranur Experiment*, item 5, p. 338 and item 53, p. 312.)

It was the first time in the history of natural science that such denial of authority had been proclaimed. The denial rested on well-founded historical grounds, such as the murder of Giordano Bruno in 1600 by a Hig named Mocenigo; or the agonies suffered by Galileo, also caused by a few conniving Higs in high ecclesiastical places; the death of Socrates by poison in the name of a sham justice belongs here too; here too belongs the misdeed of a Hig by the name of Klein, the medical administrator of a Viennese hospital department who succeeded in sending the discoverer of sterile childbirth, Ignaz Semmelweiss, to the lunatic asylum and to his death.

The discoverer of the Life Energy decided that this was the last time Higs would dare to try to kill a discovery and the discoverer. This time it would be resisted, lest all future discoveries be subject to the threat that anyone who disliked them could drag the hard worker in science into court on a fraud charge. It does not matter here whether the drug

realization that such life force may really exist, be silenced or restrained in their malignant, criminal persecution of the ones who advocate this fact. OR: such Life Energy does not exist, then let the knowledge, fact by fact, item by item, concerning the alleged existence, as published heretofore, be rebuffed by discussion and experiment, but not by slander and defamation; then, still, leave the way open to correction in view of the feelings of streaming of life in the organism.

3. *Have government or political courts the right to determine what is true or not true in entirely new realms of human knowledge? If so, then give up hope ever to reach truth. If not, then keep basic research free from government interference of any kind.*

On the other hand, governments and courts have been established to protect truth and knowledge.

It is always faulty human thinking which creates situations of confusion or despair, as during the past three to four decades; ever since masses of human beings have entered upon the public scene clamoring their right to the riches and possibilities of this planet, it has become increasingly clear how the chaos came about. There are the following obvious reasons:

First: Deriving the principle of the DIGNITY OF MAN from the liberating thoughts of the 18th and the 19th century, it was overlooked that the sacred PRINCIPLE of the "dignity of man" has little in common with the ACTUAL CHARACTER STRUCTURE of man as he lives and acts under depraving circumstances. This actual way of being is so very often the very opposite of the ideal we picture when we think of human dignity. A banality this statement truly is. Everyone knows this. But in our political and judicial thinking we don't seem to be aware of it.

Second: Our law system assumes, in accordance with 18th and 19th century thinking, that human acts are rational, that human thought and emotion are rational, and rational only. Since then we have learned the hard way... that man is structured irrationally; that his rationality is no more than a thin veneer which covers up his emotional irrationality. This overwhelming fact which governs our daily social lives to such a great extent does not appear to be noticed in our judicial decisions. We do not think human beings are irrational and that judges are irrational beings, too, and that an uncountable number of legal disasters are caused by irrationally based deeds or decisions. Therefore, the ir-

rational motivation in human behavior should be included in our procedural and legal decisions. "Irrational" means actions or motivations which are the true driving forces of an illegal, unlawful or otherwise anti-social process, but do not appear as such since they are hidden or rationalized by secondary ad-hoc-invented or pretended motivations and acts.

THE ASSAULT DURING THE DOR EMERGENCY

Let me now briefly survey the *history of the assault*:

In 1946 several Russian sympathizers gathered in the assault upon oronomy. Wertham, a physician, who was a member of the American Russian Friendship Association, a clear cut "front organization," published his attack in the New Republic, a left wing, then Russian-minded periodical. Mildred Brady then took over by planting the slander of "orgastic potency" having been promised to a gullible public, an accusation easily disproved. Brady was followed by the FDA, an agency which had shown no interest in the discovery whatever until the Red Fascist sympathizer had reared his ugly head. From here on a little Pannunjon, as it were, was perpetrated upon the public hungry for sensational news.

The attached historical list will tell you how the assault developed from there onward; it infested a great many American newspapers who for no doubtful reasons wished to be in on a good hunt.*

The severe DOR emergency set in in March 1952, about the time of the equinox. Already in August 1952 FDA agent Kenyon from Boston appeared with two alleged scientists *to find out what the Orann experiment was all about*. I knew they were pharmaceutical agents representing American industrial interests who were ready to sell out the country by selling their killer drugs such as sulla-thiazole to Asiatic millions via Moscow affiliation. I told Kenyon as much. I did not tell him that an alliance of Black and Red fascism was operating in the background.

I asked him to leave the building. His last request was to obtain the names and address files of the press. *These agents were always after names and address files*. This was what revealed their conspiratorial background. This request was of course denied.

* See also *The Red Thread of a Conspiracy* by William Moise.

agencies acted in a *bona fide* way or not. They acted as executive organs of a basic evil and had to be stopped.

The work was resumed in October 1954, after a stop of seven months. The court was specifically informed by letter of the resumption of all scientific activities. The agents of the drug industry were denied access to the premises, to our workshops, to our records. They tried to keep a toehold by alleging that the accumulator had been "shipped in interstate commerce." *To my knowledge no accumulators have been shipped since March 1954*, or a very few only to experimenting physicians. Thus even that meager toehold collapses. In strictly legal terms the literature is not labelling if not distributed with devices. I have no knowledge whatever of these things. I do not direct them and no one reports to me on them. I am not a "boss." I never have been.

There can be little doubt: a mastermind had thought up the sickening phantasy of *or* energy being nonexistent and the discoverer being a racketeering boss. The same mastermind must have reacted at the twofold blow it had not thought of as possible, since in the State of the Liberators such rebellion of a professional citizen against the power of the state would be quite out of order. They had not expected that the discoverer would refuse to go to court in the first place; neither did they expect that the activities of the *Orgone Institute* would be resumed in October 1954 *with the knowledge of the Court in Portland*.

OROP DESERT EA, ARIZONA, OCTOBER 1954—APRIL 1955

In October 1954 the OROP DESERT expedition got under way for Arizona where some laboratory findings concerning Orene, Melanor, NOR and Orite* were to be tested. The problem was basically whether the drought and desert development of the last years in the northeastern USA were related to a matter-like substance which has been found in the atmosphere during the last two years at Orgonon. It came down from the atmosphere and could be collected in a certain manner above an NaOH or NaCl solution in open dishes. If this substance, called "*Melanor*," was the drought-causing agent, then it should be amply present in the completed desert. This assumption proved to be true. The expedition worked with two cloudbusters, a well-equipped laboratory and with the assistance of four researchers until April 1955. It returned to Maine in May 1955.

* See *Case*, Vol. VII, Nos. 1-2, 1955, Orgone Institute Press.

This fact is important: an alleged U.S. FDA inspector, Holliday, turned up in Arizona on December 30th, 1951. Two weeks earlier some critical *pre-atomic* material, called *orck*, had been flown down by Dr. Silvert from Maine to Arizona on December 12-14th, 1951. Holliday was not permitted to enter the premises. He told our assistants, Moise, Hoff and Dr. E. Reich, that he wanted to "*inspect EVERYTHING.*"

The counsel for the drug agents later innocently pretended, wherever it suited him to do so, to be only concerned with accumulators and with nothing else. *Everything* they wanted to inspect, *Everything*. This "everything," however, included denaturated radio-active material, popularly, "*Atoms for Peace,*" as reported in 1951 in the First Report on the Oranur Experiment, (p. 320-321) and dealt with by the U.S. Government since Geneva, December 1953.

Such intrusion had of course to be resisted, since obviously a foreign power was very much interested in obtaining information on the "Atoms for Peace" work we did in Arizona. The *orck* material had been flown down by Dr. Silvert; it actually effectuated the great success of the expedition in combating Desert.

It was mainly such kind of impertinent curiosity which gave us again and again the impression that these men could not possibly represent *bona fide* U.S. interests. These were *sick individuals*, either serving as industrial spies or else as stooges of some political Big; they were at the same time probably out to destroy the discoverer of the Life Energy and to steal his process of denaturization of nuclear energy.

Holliday was sent away. *Why had he come only a few days after the transport of hot "Atoms for Peace" material?* It was towed outside, 100 feet behind the plane, and had been reported on the Tucson radio and on television as somewhat of a sensation, on the 20th of December.

It is up to the security authorities to find out. Such inquiry is outside our scope and obligation. But the connection was quite obvious. We were dealing with well-organized espionage. The U.S. Marshal who accompanied the FDA man was told that Holliday was most likely working for spies.

I must interject here that to the well-trained psychiatrist *spying is a characterological habit of sick men and women*. It derives from habitual hiding and secretive conniving. Healthy men and women don't spy. They live in the open and are candid about their whereabouts and daily doings. Only emotionally sick individuals lend themselves to such ways of living behind locked doors and drawn curtains, or "Iron Curtains."

The borderline between such human pathology and political, organized espionage cannot therefore be sharply defined. The latter is an outgrowth, as well as the beneficiary, of the general human hiding and evasiveness.

This uncertainty of whether we were dealing with conscious, organized espionage or sick, sneaking psychopathy was ever with us. It was never fully resolved. A fact which in itself is of great social importance: all social activity that rests on such hiding or spying is basically sick, or is as counter-espionage an answer to this emotional sickness with inadequate measures.

A few weeks later in January 1954, Judge Clifford stayed the execution of the injunction pending the outcome of the hearing in higher Boston court on the motion to intervene taken by the 15 orgonomic physicians including Dr. Silvert. They had already been exempted from the terms of the injunction by the drug agents themselves.

The counsel for the drug industry won in superior court, again by way of linking up the accumulator with the old Mildred Brady slander, namely the alleged function of the accumulator to provide "orgastic potency." Thus he won by way of distortion and slander, contrary to truth. No one had ever promised to cure the widespread disease of "orgastic impotence" by way of the accumulator. The accumulator that was shown in higher court in Boston must have created a picture of depraved if not criminal dealings. I did not see the accumulator presented to the court in Boston. According to reports received, it must have been the most awful dilapidated piece of junk available, probably built in 1942 and used ever since in various ways.

This again confirmed our impression that we were not dealing with *bona fide* U.S. Government agents but with some Higs who served both illegal commercial and illegal political interests, i.e., interests adverse to the true interests of the American public.

It was especially the Boston drug agent Kenyon who was one of the most ardent persecutors of the discovery. He was possibly surpassed only by drug agent Jackman in New York, who somehow managed to get an affidavit of "utter innocence" into the official legal record. (See printed matter of Superior Court action.)

I must remind you that in July of 1952 Kenyon had illegally broken through put-up chains and "No Trespassing" signs at Orgonon, together with a chemist, and a physicist. He wanted to know all about Oranov. This was in July 1952, only a few months after Panyushkin, the GPU

Terrorist, settled down in Washington after his return from Moscow; and only three months after the severe nuclear emergency had hit Oregon in April 1952. It was also only two months after the Cloudbuster was invented. Strange, is it not, this coincidence taken together with the curiosity of Holliday in Arizona soon after the transportation of ORUK from Maine to Arizona?

ORUK is denaturalized nuclear material. I should like briefly to explain what *Oranur* and *Orur* mean. They designate nuclear material which has been treated with concentrated massfree cosmic (atmospheric) Orgone Energy. I shall not describe here the exact process; it has been described in some detail in the first report on the Oranur experiment. I shall only give an idea of the result:

By treating nuclear material (NU) with concentrated Orgone Energy (OR) NU changes into a very powerful but peaceful energy. NU is replaced within the nuclear material by OR. A radium needle which gave 16,000 counts per minute on a certain Geiger Counter naked at 1 cm. distance affected the same GM counter up to 300,000 counts per minute at a far greater distance within heavy lead shielding.

NU can be shielded by lead. ORUK cannot. On the contrary, any shielding by way of metal or even mere vicinity of metal will excite ORUK into high-pitched activity, foreign to NU material. Therefore ORUK had to be transported from Maine to Arizona outside the plane, towed along in a special container 100 feet away from the metallic walls. There are many other such differences.

ORUK, that is, organized, denaturalized nuclear material adapted to peaceful uses, has been used by the Orgone Institute for several years now in atmospheric research, specifically in destroying nuclear clouds, the black, deadly, dehydrating blankets of so-called "Smog"; it has been used furthermore in creating rain and stopping rain, and lately also in an attempt to withdraw energy from hurricanes. These experiments are very promising. They are all connected with OR energy accumulation, since it is accumulated, concentrated OR energy which denaturalizes nuclear material and makes it usable for peaceful purposes. The desert work in Arizona was of such kind. Green pastures and prairie grass appeared in formerly completely barren sand stretches after systematic removal of the deadly nuclear blankets.

These were sufficiently grave reasons to keep alleged U.S. Government inspectors out who were resolved to kill the discovery for whatever reasons they may have had. My obligation was expressed in 1951

in the conclusion of the First Oranuf Report as follows (p. 331):

"A government of nations, bent on abolishing the threat of atomic warfare, on securing peace in the world and bringing health and happiness to people EVERYWHERE, could do untold good. Cosmic energy could finally serve useful purposes, since *slowness* of chain reaction and *medical efficiency* have been found in *the cosmic primordial forces*. Such humane efforts would command respect and secure the deep confidence of people in our endeavors everywhere. No single man or organization could accomplish this end; only allied social institutions could do it—from the nursery school to the institute of higher learning, from the professional organization to the military Pentagon in every land."

DOCUMENTARY APPENDIX

OROP DESERT
RESPONSE*

February 25th, 1954

The Hon. Judge Clifford
Federal Court House
Portland, Maine

Dear Judge Clifford:

I am taking the liberty of transmitting to you my "Response" to the complaint filed by the Food and Drug Administration regarding the Orgone Energy Accumulator. My "Response" summarizes my standpoint as a natural scientist who deals with matters of basic natural law. It is not in my hands to judge the legal aspects of the matter.

My factual position in the case as well as in the world of science of today does not permit me to enter the case against the Food and Drug Administration, since such action would, in my mind, imply admission of the authority of this special branch of the government to pass judgment on primordial, pre-atomic cosmic orgone energy.

I, therefore, rest the case in full confidence in your hands.

Sincerely yours,

/s/ Wilhelm Reich, M.D.
Wilhelm Reich, M.D.

* Reprinted from OROP DESERT No. 2, 1954.

RESPONSE

Regarding the Request of the Food and Drug Administration (FDA) to Enjoin the Natural Scientific Activities of Wilhelm Reich, M.D.

In order to clarify the *factual* as well as the *legal* situation concerning the complaint, we must, from the very beginning, distinguish concrete *facts* from *legal procedure* to do justice to the facts.

Technically, legally the US Government has filed suit against the natural scientific work of Wilhelm Reich.

Factually, the FDA is not "The US Government". It is merely one of its administrative agencies dealing with Foods, Drugs and Cosmetics. It is not empowered to deal with *Basic Natural Law*.

ORGONOMY (see "Bibliography on the History of Orgonomy") is a branch of BASIC NATURAL SCIENCE. Its central object of research is elucidation of the Basic Natural Law.

Now, in order to bring into line the legal procedure with the above-mentioned facts, the following is submitted:

The common law structure of the United States rests originally on Natural Law. This Natural Law has heretofore been interpreted in various ways of thinking, metaphysically, religiously, mechanistically. It has never concretely and scientifically, been subjected to natural scientific inquiry based upon a discovery which encompasses the very roots of existence.

The concept of Natural Law as the foundation of a secure way of life, must firmly rest upon the practical concrete functions of LIFE itself. In consequence, a correct life-positive interpretation of Natural Law, the basis of common law, depends on the *factual* elucidation of what Life actually is, how it works, what are its basic functional manifestations. From this basic premise derive the claims of natural scientists to a free, unmolested, unimpeded, natural scientific activity in general and in the exploration of the Life Energy in particular.

The complaint of the FDA is *factually* intimately interconnected

with a basic social issue which, at present, is reverberating in the lives of all of us here and abroad.

Abraham Lincoln once said: "What I do say is that no man is good enough to govern another man without that other's consent. I say this as a leading principle, the sheet anchor of American republicanism."

At this point, I could easily declare "I refuse to be governed in my basic natural research activities by the Food and Drug Administration." But exactly here, in this constitutional right of mine, the basic confusion in the interpretation of Natural and Common Law becomes apparent.

There are conspirators around whose aim it is to destroy human happiness and self-government. Is now the right of the conspirator to ravage humanity the same as my right to free, unimpeded inquiry?

It obviously is NOT THE SAME THING. I shall not try to answer this basic dilemma of American society at the present. I shall only open an approach to this legal and factual dilemma. It has a lot to do with the position of the complainant, trying to enjoin the experimental and theoretical functions of Life in its emotional, educational, social, economic, intellectual and medical implications.

According to natural, and in consequence, American Common Law, no one, no matter who he is, has the power or legal right to enjoin:

The study and observation of natural phenomena including Life within and without man;

The communication to others of knowledge of these natural phenomena so rich in the manifestations of an existent, concrete, cosmic Life Energy;

The stir to mate in all living beings, including our maturing adolescents;

The emergence of abstractions and final mathematical formulae concerning the natural life force in the universe, and the right to their dissemination among one's fellow men;

The handling, use and distribution of instruments of basic research in any field, medical, educational, preventive, physical, biological, and in fields which emerge from such basic activities and which, resting on such principles, must by all means remain free.

Attempts such as branding activities and instruments of such kind as "adulterated," in other words as fraud, only characterizes the narrowness of the horizon of the complaint.

No man-made law ever, no matter whether derived from the past or projected into a distant, unforeseeable future, can or should ever be empowered to claim that it is greater than the Natural Law from which it stems and to which it must inevitably return in the eternal rhythm of creation and decline of all things natural. This is valid, no matter whether we speak in terms such as "God", "Natural Law", "Cosmic Primordial Force", "Ether" or "Cosmic Orgone Energy".

The present critical state of international human affairs requires security and safety from nuisance interferences with efforts toward full, honest, determined clarification of man's relationship to nature within and without himself; in other words, his relationship to the Law of Nature. It is not permissible, either morally, legally or factually to force a natural scientist to expose his scientific results and methods of basic research in court. This point is accentuated in a world crisis where biopathic men hold in their hands power over ruined, destitute multitudes.

To appear in court as a "*defendant*" in matters of basic natural research would in itself appear, to say the least, extraordinary. It would require disclosure of evidence in support of the position of the discovery of the Life Energy. Such disclosure, however, would invoke untold complications, and *possibly national disaster*.

Proof of this can be submitted at any time only to a duly *authorized* personality of the US Government in a high, responsible position.

Scientific matters cannot possibly ever be decided upon in court. They can only be clarified by prolonged, faithful bona fide observations in friendly exchange of opinion, never by litigation. The sole purpose of the complainant is to entangle organomic basic research in endless, costly legal procedures a la Pannunjon, which will accomplish exactly NOTHING rational or useful to human society.

Inquiry in the realm of Basic Natural Law is *outside the judicial domain*, of this, or ANY OTHER KIND OF SOCIAL ADMINISTRATION ANYWHERE ON THIS GLOBE, IN ANY LAND, NATION OR REGION.

Man's right to know, to learn, to inquire, to make bona fide errors, to investigate human emotions must, by all means, be safe, if the word FREEDOM should ever be more than an empty political slogan.

If painstakingly elaborated and published scientific findings over a period of 30 years could not convince this administration, or will not be able to convince any other social administration of the true nature

of the discovery of the Life Energy, no litigation in any court anywhere will ever help to do so.

I, therefore, submit, in the name of truth and justice, that I shall not appear in court as the "defendant" against a plaintiff who by his mere complaint already has shown his ignorance in matters of natural science. I do so at the risk of being, by mistake, fully enjoined in all my activities. Such an injunction would mean practically exactly nothing at all. My discovery of the Life Energy is today widely known nearly all over the globe, in hundreds of institutions, whether acclaimed or cursed. It can no longer be stopped by anyone, no matter what happens to me.

Orgone Energy Accumulators, the "devices" designed to concentrate cosmic Orgone Energy, and thus to make it available to further research in medicine, biology and physics, are being built today in many lands, without my knowledge and consent, and even without any royalty payments.

On the basis of these considerations, I submit that the case against Orgonomy be taken out of court completely.

WILHELM REICH, M.D.
 Chairman of Basic Research
 OF THE WILHELM REICH FOUNDATION

Date: February 22, 1954

WARNING

The following form is sent out to all individuals or organizations that knowingly or unknowingly have aided the criminal conspiracy against the discovery of the Life Energy by printed or spoken mis-statements.

WARNING

As you will see from Wilhelm Reich's RESPONSE, the Food and Drug Administration has been denied any authority on matters of basic natural science in general, and cosmic Orgone Energy in particular. Orgone Energy is neither a food, nor a drug, nor a cosmetic; it requires new laws for its administration. The action of the Food and Drug Administration was the ultimate outgrowth of a conspiracy against the discovery of the Life Energy. The injunction is obviously an act violating the right to free natural scientific inquiry. It is thus a violation of the Constitution.

The injunction was obtained solely by Dr. Wilhelm Reich's non-appearance in court. Action is under way to intervene against the injunction. *We maintain the standpoint that matters of basic natural scientific research are beyond the jurisdiction of either court or government, since basic natural science is the very foundation of both good government and true justice.*

We regret to inform you that

....., you have, we assume unknowingly, fallen victim to a criminal conspiracy against Wilhelm Reich's discovery of the Life Energy; a conspiracy instigated against the Orgone Institute by political and psychopathic hoodlums and little commercial horse thieves. Documents proving this contention are in our possession.

THE WILHELM REICH FOUNDATION

The Honorable John D. Clifford
U. S. District Court
Federal Court House
Portland, Maine

October 24, 1955

Dear Judge Clifford:

As counsel for defense I would like to submit to you a solution to the problem before the Court which I believe will be satisfactory to everybody concerned.

My recommendation to establish "*Boards on Social Pathology*" in the U. S. A. courts represents a positive socially useful solution instead of the purely negative socially sterile charge of contempt of court. To the legal, a *factual procedure* re human nature is added.

This recommendation should be regarded, in case of acceptance by the Court, as replacing an *alternate Second Motion* which submits a *charge of illegal misrepresentation of facts and other unlawful procedures perpetrated on this Court* on the part of the complainant in Civil Case 1056 and Criminal Case 5003. The *Second Motion* would be filed with the Court in case my first motion is not agreed to by the complainant and not accepted by the Court in open hearing.

I am sending this first important motion to you in advance to enable you to form an opinion about it before I proceed with sending out a copy of the motion to Mr. Mills.

I shall call your office on Wednesday, the 26th, to learn whether you would accept my first motion to be introduced into open court for hearing on November 4. On this the fate of the *Second Motion* will depend.

Sincerely yours,

Wilhelm Reich, M.D.
Counsel for Defense
EPRO

The Honorable John D. Clifford
U. S. District Court
Federal Court House
Portland, Maine

October 24, 1955

Dear Judge Clifford:

As counsel for defense I would like to submit to you a solution to the problem before the Court which I believe will be satisfactory to everybody concerned.

Careful study of the nature of the legal procedures of the complainant reveals the fact that the FDA achieved success so far on an *empty factual basis*, by using skillfully most elaborate procedural techniques. Should they further succeed in this manner, I would as a consequence land in jail innocently for contempt of court, due to the fact that procedural maneuvering won the case, based on no facts at all.

On the other hand, should I succeed in bringing my factual evidence into court and onto official protocol, there can be little doubt that those would land in jail who have, as I have charged in open hearing, perpetrated illegal misrepresentation of facts upon this Court.

As a responsible professional citizen I firmly believe that the truth must at all cost see the light of day, unmarred by procedural rignarole.

As a physician at the sickbed of society, and as a scientist, I am not interested in getting anyone into jail, even if guilty of crime. I am convinced that jail is an antiquated institution inept to solve social problems, except in keeping criminals (or what the established law adjudges as criminal today) out of social circulation. Although the FDA and those behind it who have conspired to kill the discovery of Life Energy, are out to kill me "*ad personam*" too, I feel no such ambitions regarding my enemies. Not because I pity them, but because it would

not accomplish anything useful for society and a better handling of human affairs in the future upon this suffering planet.

I therefore submit that the available evidence in the hands of both FDA and Orgone Institute be opened up for inspection in public hearings; furthermore, that the total legal issue involved be handled publicly, as a *master example of Social Pathology*.

It would be most interesting to see how the formal, conventional legalistic procedure would meet with the new attempts in Social Biopsychiatry to study and settle human affairs in open court hearings. Dr. Silvert and I would then work in our professional capacity as scientific workers representing EPPO, the "EMOTIONAL PLAGUE PREVENTION OFFICE."

EPPO was established some time ago to cope with the pathological activities on the social scene of emotionally sick individuals, and to find ways to counteract efficiently on a medical and educational basis, what has been termed the "*Emotional Plague*", as reported in a brief statement to Congress in 1952. The Emotional Plague is the same social disease, which is being called "Juvenile Delinquency", "Crime", etc., in the parlance of the law.

I firmly believe that this would be to the great advantage of everybody and everything concerned; and that our society would lead once more in the struggle for *clarification of matters of social pathology*.

I hope this Court will agree with this procedure; otherwise, I am afraid we would face only *more of the legalistic, formalistic entanglement of factual Truth as practised by the opponent, a practise which I believe the Court dislikes and finds barren as much as everybody else*.

I am looking forward to the opportunity to present as "*Social Disease*" what appears as "*Crime*" in legal procedure.

My recommendation to establish "*Boards on Social Pathology*" in the U. S. A. courts represents a positive, *socially useful* solution instead of the purely negative, socially sterile charge of contempt of court: to the legal, a *factual procedure* re human nature is added.

This recommendation should be regarded, in case of acceptance by the Court, as replacing an *alternate Second Motion* which submits a *charge of illegal misrepresentation of facts and other unlawful proce-*

dures perpetrated on this Court on the part of the complainant in Civil Case 1056 and Criminal Case 5003. The Second Motion would be filed with the Court in case my first motion is not agreed to by the complainant and not accepted by the Court in open hearing.

I shall call your office on Wednesday, the 26th, to learn whether you would accept my first motion to be introduced into open court for hearing on November 4. On this the fate of the Second Motion will depend.

Sincerely yours,
Wilhelm Reich, M.D.
Counsel for Defense
FRO

Orgonon
Rangeley, Maine, USA
October 24, 1955

EPPO, Case No. 1

DISCOVERY OF THE LIFE ENERGY

(Civil 1056 and Criminal 5003 before U. S. District Court of Maine, Southern Division, Acting Judge John D. Clifford, Jr.)

FACTUAL PRESENTATION PRECEDING PRESENTATION OF FACTUAL EVIDENCE by Counsel for the Defense, Wilhelm Reich, on behalf of EPPO, OROP DESERT Etc.

BASIC LEGAL DEFECT IN CRIMINAL 5003; ORIGINAL COMPLAINT 1056, PRESUMING FRAUD, NOT BASED ON FACTUAL EVIDENCE, ON OPINION ONLY; THEREFORE UNLAWFUL.

Being a natural scientist rather than a lawyer, I derive my factual privilege to appear as counsel for the defense from the fact that the basic principles of conduct are the same in both *Science* and *Jurisprudence*.

What is called *procedural rule* in jurisdiction is called in science *method of research*. The function of both is FACT FINDING and thus the finding of objective *factual truth*.

Certain procedures have been developed in both science and jurisprudence to ascertain that *truth based on facts* be not confused with mere *subjective opinions* about facts.

Only "FACTUAL EVIDENCE" leads to "FACTUALLY BASED OPINION." Such opinion based on factual evidence is called "*theory*" in science and "*legal decision*" in jurisdiction.

All processes are "UNLAWFUL," within legal procedures, if their PREMISES are false. It can be shown to this court by presentation of FACTUAL EVIDENCE, that the original complaint in Civil Action 1056 was based on *no factual evidence at all*.

The complaint itself does not mention any facts at all in the allegation of fraud. A complaint which is not based on factual evidence is not "lawful." The law requires that processes be based on *facts*, and not on opinions. Unlawful acts not only cannot be, they *must not* be obeyed.

The civil complaint (1056) having constituted an unlawful act, the injunction which followed upon non-appearance of the defendants in court on March 19th, 1954, also constitutes an "*unlawful*" document.

From these premises it follows that the defendants are not in contempt of this court. On the contrary, those are in contempt of this court, *factually, legally and logically*, who have perpetrated upon this honorable court:

1. Illegal misrepresentation of facts in court;
2. Illegal, deceitful concealment of facts from court;
3. Illegal manipulation of procedures in such a manner, contrary to truth and justice, that the truth was prevented from appearing to be heard.

Whether this was done from ignorance or arbitrary deceitfulness does not matter; it suffices to constitute fraud that this act has induced the court to act upon wrong premises in issuing the injunction.

Presentation of Facts

I shall, by way of contraposition of allegation in opinion and *factual* evidence show which facts were misrepresented, which were illegally concealed from the court, and that procedural maneuvering was abundantly used to maintain misrepresentation to, and concealment from this court of *pertinent facts*.

Misrepresentation of pertinent facts:

1. It is *untrue* that the *original complaint 1056 is based on facts*.

It is on the contrary *true* that *no facts at all* appear in civil action No. 1056 to support the accusation that "orgone energy does not exist." The shipping of experimental devices in interstate commerce is no crime, unless by way of *evidence fraud is factually shown*. Factual proof of allegation rests on complainant.

2. It is *untrue* that the *Wilhelm Reich Foundation functions for the purpose of personal financial gain*, and that such is sought and obtained by alleging the existence of an energy which "*does not exist*." Thus fraud is implied.

It is, on the contrary, *true* that Wilhelm Reich is recognized as an honest scientist; that no mala fide behavior can be imputed to him. He has repeatedly renounced being a leader. Orgone energy functions in the atmosphere and beyond, as shown by hundreds of pertinent observations and experiments. The proof that these published observations and experiments are false, rests to the full extent of the evidence presented, on the complainant.

No accumulators were shipped in interstate commerce since the injunction, *not because it was unlawful*, but only to remove a petty legal argument against orgonomy by petty alleged health officials.

3. It was untruthfully presented to this court that the publications of the Wilhelm Reich Foundation constitute labelling of a fraudulent device. The book, "*Cosmic Superimposition*", may serve as an example of this deceitful allegation, since it is alleged to deal with *ichthyosis*, *cancer*, etc.

True, to the very contrary, is that "*Cosmic Superimposition*" is a book dealing with hurricanes, the orgonome shape of living beings, among them cancer cell orgonome forms, the aurora borealis, etc., and that the word "*Ichthyosis*" and other diseases mentioned in the complaint are not to be found in its content nor in the index.

4. It is *untrue* that the *injunction is a lawful order and can be*, as well as *must be* executed.

True is that this document is the unlawful product of a diseased mind, dedicated to confusion and irrational fabrication. As such it can be *as little obeyed or disobeyed* as the scream of a catatonic human being.

List of facts supporting basic point A of irrational fabrication:

1. It was by way of procedural maneuvering, put over on this honorable court, that orgone energy is a *fraud in Maine*, but exists, is *not a fraud*, does not harm, prevents no other treatment, is perfectly all right in the hands of the physicians, who *including Dr. Silvert*, are fully entitled to use, prescribe and do in the medical field with orgone energy as they please.

True and matter of logic as well as fact is, that *either orgone energy exists*, then it exists *everywhere*, or it *does not exist at all*, is a fraudulent invention, then it is so *everywhere*. To deny this obvious, logical fact amounts to criminal contempt of the very court which is to punish

the discoverer of the Life Energy for a contempt he and his assistants have never committed.

2. It was an untruth, perpetrated on this court, that the discoverer has the *power to make others stop talking about, working with, writing about and discussing his discoveries.*

True is that such is not the case, since the problems of Life Energy are today being talked about, discussed, written about, and worked with nearly all over the globe.

3. *It is untrue* that the discoverer *owns the books*, which are distributed through the Orgone Institute Press.

True is that the discoverer never owned any books, that he did not derive profit from selling of the literature.

4. The FDA untruthfully claimed, especially in Superior Court, that *orgastic potency had been promised* to the public by way of the orgone energy accumulator. *This is untrue.*

True is that the discoverer had never made such promises and could not have done so, since the orgone energy does not provide orgastic potency. Such expectations were specifically refuted. Burden of proof to the contrary rests on the complainant.

5. It was *untruthfully* alleged that *cancer cures had been promised* by the discoverer.

To the contrary, in "The Cancer Biopathy" it was specifically stated that behind the manifest cancer tumor, which at times yields to treatment, there is at work the *true* disease, the so-called "Cancer Shrinking Biopathy." Most experimentally treated patients had been reported dead from shrinking of the nervous life system, after dissolution of tumors.

6. It was, *contrary to factual truth*, stated that *treatment with orgone energy prevents patients from being treated with routine methods.*

True is the exact opposite, that *surgery and even radium treatment* were recommended in certain cases.

7. It is *untrue* that publications on orgone energy can be stopped.

True is that publications and discussions about orgone energy and its discoverer are being published by many independent publishers, both in the U. S. A. and abroad, beyond the reach of the discoverer.

These as many other facts question that in their action the FDA represents U.S. interests.

On the contrary, there exists circumstantial as well as factual evidence to the effect that the FDA *represents private commercial interests which are contrary to the interests of the U.S.A.* There exists even evidence to the effect that interests of a foreign power and espionage may be involved.

True is furthermore that the U.S. Government appreciates the discovery of the Cosmic Orgone Energy. Evidence will be submitted later concerning:

- a. Emotional plague problem
- b. orop Desert Ea, Oranur Espionage
- c. Oranur

Illegal concealment of facts:

1. The FDA in their original complaint deliberately kept from the judge the fact that the discoverer of the Life Energy is an experienced scientist and *physician of high standing*; also that dozens of duly licensed physicians and scientists over many years have experimented with orgone energy in many countries. Thus the complaint created the false impression of one man claiming all the work done by so many over decades: in short, fraud.

2. They concealed in the original complaint the crucial, well-known fact that the Orgone Institute was busy since 1952 in combating *drought and desert development*; an omission incomprehensible in connection with bona fide health officers, when dor-sickness is involving the population of this planet.

3. The FDA acted untruthfully by not presenting to the court *ALL the pertinent facts*; for example, the fact that a so-called "dor-sickness" had been described in the organomic literature. dor-sickness is a crucial fact in the evaluation by Organomic Medical Research. It is of grave concern to the public at large, which suffers from its symptoms: from fatigue, dullness, nausea, "bad air," diarrhea, emotional distress, etc.

4. They concealed from the court the fact that crucial *positive experimental results* had been obtained in various diseases, such as in lung cancer, so-called rheumatic fever, anemia, etc. They *concealed ALL* such positive evidence published in the literature. They also concealed deliberately the contradictions published.

5. They concealed from the court the nationally decisive fact that the Orgone Institute had reported to the government *conspiratorial activities* with regard to Oranur Experimentation and the Orgone Energy Motor. They did not act upon nor consider this fact. Are they bona fide U.S. Government representatives?

Mr. Maguire held a copy of "*The Conspiracy, an emotional chain reaction*" in his hand and quoted therefrom on July 26, 1955. This very volume contains the documents in which *crucial material* pertaining to national security was expounded.

Their methods of misrepresentation, concealment, and maneuvering of factual evidence are highly suspect.

Manipulation of procedure:

In order to win by *all means, including illegal ones*, they changed again and again their legal position.

First they impounded *all literature, all correspondence, all matters* of the Orgone Institute and of ALL affiliates; later they were *innocently "only after the accumulator."*

At first *all physicians and all associates* were enjoined; when this did not work, it was the *discoverer "ad personam"* only; the physicians were specifically exempted from the terms of the injunction.

At first they had THEMSELVES, among other intervening physicians exempted Dr. Michael Silvert. Then they charged the very same Dr. Michael Silvert, exempted at the time, with contempt of court, when he did, what he *fully, lawfully was entitled* to do, namely, as an *exempted* physician to take the material to New York to his own address.

In other words, the FDA manipulated the procedure according to their *preconceived design* to destroy the discovery of the Life Energy.

In this they were assisted by a badly misled and misinformed prosecuting attorney whose duty according to lawful procedure it was to secure factually based justice, and not conviction by illegal, fruitless means.

Should the court further permit such illegal maneuvering, maneuvering to win at all costs by fraudulent means, the FDA would certainly try, not hesitate to call in a psychiatrist to declare by mere authoritative opinions the *discoverer insane* and to imprison him in a lunatic asylum to be "shocked." Such infamy was perpetrated upon the founder of modern aseptic obstetrics, Ignaz Semmelweis, by a single emotionally

sick man by the name of Klein a few decades ago. This must not happen again.

This is by far not the full story of deceit.

There is sufficient evidence of a much deeper-reaching conspiracy behind it all. I cannot believe that such methods of social administration of public affairs are the accepted principles of the U.S. Government. The discoverer of Life Energy will not yield to such abuse of authority. Just as little as I shall revoke my discovery, just as little as I can stop gravity, just as assuredly will I refuse to obey *unlawful* orders, obtained by deceptive means.

We are operating with grave responsibilities in matters of crucial public interest. We are doing *desert research*, and we are combating *drought*. We are hard-working, honest professional workmen, and we protest emphatically against such treatment by alleged administrative agents. With wells drying up, and trees bending in the forests like rubber hoses from loss of life energy; with the atmosphere going stale causing emotional distress, malaise, confusion, nausea, intestinal disturbances, in short "bor-sickness"; in other words with life on our planet undergoing a severe crisis we cannot afford to lose this battle. We must win, with bona fide factual presentations of things and processes as they truly are, and not as frightened souls or diseased minds would have them be.

One cannot forbid thinking, just as one cannot stop gravity. One can only try to overcome it or to govern it. In the same vein, one cannot stop the Cosmic Life Energy of which gravity is one function, at present occupying the best minds of our world.

The legal mind will necessarily join the scientific mind to secure the work in the laboratory and to safeguard it against irrational assaults by those who cling to the surface of this globe and refuse to budge. Let them cling; but do not permit them to prevent you from stretching outward into the formidable unknown.

APPENDIX TO FACTUAL PRESENTATION

Compiled by WILLIAM MOISE, Secretary, EPPO, DROP DESERT EA

The Food and Drug Administration *misrepresented the following* publications as dealing with the "cure", "mitigation", "prevention of the disease conditions and symptoms hereinafter enumerated... which constitute labeling" (Civil Action 1056) ...; while at the same time the FDA concealed from the court the *factually true content* of the publications:

PUBLICATION**1. THE SEXUAL REVOLUTION, by Wilhelm Reich, M.D.**

True is the fact that CANCER does not appear at all in either content or index; the fact is that this book was written long before the discovery of the Orgone.

Not True is the FDA allegation that this work deals with the cure, mitigation, prevention, or treatment of CANCER.

Concealed from the court by the FDA is the fact that the true content of this book is on the failure of the Russian experiment in establishing sexual reforms, due to human structural incapacity for freedom.

2. THE MASS PSYCHOLOGY OF FASCISM, by Wilhelm Reich, M.D.

True is the fact that CANCER does not appear at all in either content or index; the fact is that this book, too, was written years before the discovery of the Orgone.

Not True is the allegation by the FDA that this book is about the cure, mitigation, prevention and treatment of CANCER.

Concealed from the court by the FDA is the fact that the true content of this work describes how all forms of irrationality in politics (Red and Black Fascism used as examples) are derived basically from combined structural irrationality of human masses; that this book is an im-

portant text for present political psychology (in the libraries of The U. S. State Department and Central Intelligence Agency); that this book was ordered destroyed and burned by Hitler.

3. CHARACTER ANALYSIS, by Wilhelm Reich, M.D.

True is the fact that CANCER does not appear in the index, chapter headings, or outlines; that "cancer tumor" cannot be found in the contents.

Untrue is the claim that this book is about the cure, prevention, mitigation, or prevention of CANCER TUMORS.

Concealed was the fact that this work is a basic text-book in psychiatry, detailing the character-analytic technique of the discoverer from its beginnings in psychology to its present firm basis in natural science in the form of orgone biophysics.

4. COSMIC SUPERIMPOSITION, by Wilhelm Reich, M.D.

True is that CANCER, COMMON COLD, ICHTHYOSIS, RHEUMATIC FEVER, HYPERTENSION, or DIABETES *appear not at all* in either content or index of this work.

Untrue is the presentation by the FDA that this work is concerned with the cure, mitigation, treatment, or prevention of CANCER, COMMON COLD, ICHTHYOSIS, RHEUMATIC FEVER, HYPERTENSION, DIABETES.

Concealed, the fact that this work deals with hurricanes, the shape of the galaxies, and the "ring" of the aurora borealis; that their request for the enjoining of the entire book was solely upon the inclusion of the Bibliography of Works on Orgone Energy at the back of the book.

5. ETHER, GOD AND DEVIL, by Wilhelm Reich, M.D.

True is that CANCER does not appear in the index or content, with the following one exception, p. 123, Chp. VI, "Concentrated Orgone Energy has many beneficial effects on living organisms which I have tried to describe in my CANCER BIOPATHY..."

Not True is the allegation that this book deals with the cure, mitigation, prevention, or treatment of CANCER.

Concealed again is the *factual content of this work*: the description of how the process of functionalism led to the discovery of Orgone Energy (Ether) through objective logic of the thought process; how hu-

manity until this, had evaded discovery through various erroneous thought systems: mysticism, mechanism, etc .

6. THE MURDER OF CHRIST, by Wilhelm Reich, M.D.

True is that CANCER appears not at all in index or content.

Not True is the claim that this work constitutes a claim of cure, mitigation, treatment, and prevention of CANCER.

Concealed again from the court is the true content: The Murder of Christ which is the Murder of Life through the ages by and in each of us through the Emotional Plague.

7. PEOPLE IN TROUBLE, by Wilhelm Reich, M.D.

True is that this work is a translation of the original German manuscript "Menschen im Staat" (1936-7), translated in 1917; that on page 123 of the Appendix the discoverer writes of, "The new set of problems grouped around the natural functions of endogenous infection and decay . . .", "The cancer process is a long-drawn-out process of decay within the human organism due to the bio-energetic shrinking of the life system."

Not True is the opinion that this book constitutes a claim of cure, mitigation, treatment, of CANCER. .

Not True is the opinion by the FDA that "Blood" or "Tissue" is a "disease", a "disease condition" or a "symptom"; that this book states them as such; that this book constitutes a claim of cure, treatment etc. . .

Concealed, that this work is a historical document of the discoverer's experiences in the socialist and psychoanalytic movement of 25 years ago, between 1927 and 1937.

(signed) WILLIAM MOISE

- 2 - orig and dupl
 - 1 - yellow (100-14601)
 - 1 ✓ yellow (105-11461)
 - 1 - J. J. Daunt
 - 1 - J. F. Wooks
 - 1 - Section tickler
 - 1 - P. C. Young
- February 29, 1958

FILHELM REICH FOUNDATION
 also known as

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.;
FILHELM REICH; WILLIAM SIDNEY NOISE

The Wilhelm Reich Foundation, also known as the Orgone Institute Research Laboratories, Inc., Rangeley, Maine, was the subject of a security-type investigation conducted by this Bureau in 1950, which disclosed no activity harmful to the security of the United States. Our files reflect that this organization was founded by Wilhelm Reich about 1942 to commercialize his theory of cancer treatment through control of biological energy which he named "Orgone Energy." On March 19, 1954, the Food and Drug Administration, U. S. Department of Health, Education and Welfare, issued a press release stating that after considerable investigation by that Department, it was conclusively established that there is no such energy as "Orgone Energy" and that "Orgone Energy Accumulators" used in the treatment of cancer and other serious diseases were worthless. The press release added that the Federal District Court, Portland, Maine, on March 19, 1954, issued a permanent injunction barring the interstate shipment of these devices and any literature and promotional material relating to them. It is noted that as of November, 1955, Reich and the Foundation were in contempt for violation of the injunction. (100-14601-48, 54; 105-11461)

Wilhelm Reich was the subject of a security-type investigation in 1941. He was apprehended by the FBI as a German alien on December 12, 1941, and was delivered into the custody of the Immigration and Naturalization Service in New York City. Reich, born March 24, 1897, in Dobzownice, Austria, entered the United States on August 20, 1939, from Oslo, Norway, destined to the New School for Social Research, New York City, to teach psychology. This employment was terminated in the spring of 1941 by the School officials who claimed that Reich was egotistical, disregarded the ideas of other scientists, and in addition claimed to have a cure for cancer which, they claimed, "smacked of quack tactics." A close professional acquaintance interviewed during this investigation stated that Reich was a prominent psychiatrist in Vienna and Germany during 1922-1939, and during the same time was

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Starbo _____
- Mohr _____
- Parsons _____
- Rosen _____
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 J. C. Prior, Director

associated with the Socialist movement. Reich also reportedly became affiliated with the Communist Party (CP) during that time while doing research on the subject, but subsequently severed ~~his~~ connections with the CP about 1938 due to differences in political belief. Unverified information was received during this investigation that Reich was a member of the CP in Norway, 1937-1938, and was expelled from the Party for not adhering to the Party line. He was unconditionally released on December 20, 1941, after a hearing before the Alien Enemy Hearing Board in New York City. (105-11461; 100-14601)

William Sidney Noice is an assistant to Dr. Reich and is the secretary of the Wilhelm Reich Foundation. Noice has not been investigated by this Bureau and our files do not reflect any pertinent information concerning him other than his association with the Foundation. (105-11461)

In the event you desire further information concerning Reich, Noice, and the Wilhelm Reich Foundation, you may desire to contact the Atomic Energy Commission, the Food and Drug Administration, U. S. Department of Health, Education and Welfare, and the Immigration and Naturalization Service.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: March 9, 1956

FROM : SAC, Cincinnati

SUBJECT: MICHAEL SILVERT, M.D.
MISCELLANEOUS - INFORMATION CONCERNING

I am transmitting herewith a copy of a letter received at our Columbus Resident Agency from the above individual.

Also, I am transmitting copies of the photostats furnished with SILVERT's letter. This does not appear to be a matter over which this Bureau has jurisdiction.

For the Bureau's information, the files of this office do not contain any information concerning Dr. JOHN W. LEIST of Columbus, Ohio.

Dr. SILVERT's letter has not been acknowledged.

- 2 - Bureau (Encls.-3)
- 1 - Cincinnati (62-0)

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66 MAR 1956

C O P Y

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 Grove Street, New York 14, N. Y.

Watkins 9-2895

March 6, 1956

Federal Bureau of Investigation
Columbus
Ohio

Gentlemen:

In connection with the Emotional Plague attack by agents of the U.S. Food and Drug Administration against Wilhelm Reich, the discoverer of the Life Energy, we enclose two photostats of interviews between Dr. John W. Leist of Columbus, Ohio, and a local Food and Drug agent.

The actions of the inspector speak for themselves.

As in previous instances of such unwarranted intrusion by alleged government agents, we are reporting this, with photostats, to your Washington Office.

Sincerely,

/s/ Michael Silvert, M.D.

Michael Silvert, M.D.

MS:ct

C O P Y

ENCLOSURE

Telephone Conversation at about 9:30 A.M. on
February 27, 1956 with Mr. C. H. Russell, Resident
Inspector, Federal Food and Drug Administration,
Rm. 322, Old Post Office Building, Columbus, Ohio.
Telephone: Capital 1 - 6411, Ext. 450.

~~Mr.~~ Russell called again and said he would like to see me
before March 6, 1956 because there had been an injunction against
the distribution of the "machine" by the "firm" and it's employees,
and there was going to be another hearing on March 6, 1956 in
Portland, Maine.

He said he would like information about my use of the "machine"
and the results of the use before March 6, 1956, and that after that
time such information would be of questionable value.

I repeated that I did not wish to give any information until
I had seen an attorney and that my appointment with an attorney had
been cancelled because of the birth of a new baby on that day. I
said that my time was limited this week but that next week I had more
time and that my being busy had nothing to do with his deadline.

He said it sounded to him as though I was questioning the
motives of the government, and that his work was approved of by the
local medical society (Columbus Academy of Medicine) and by the head
of the Ohio State Medical Board, amongst others.

I said I made it a practice not to give any information when
enquiries were made without consulting an attorney.

He said he would still like to talk to me before I saw an attorney.

He asked me to leave a message for him if I called and he
wasn't in, and that he had arranged to have messages taken, although
he was alone in the office and wasn't always there.

I certify that this is a true record of the conversation between
the undersigned and the above mentioned Mr. Russell, as well as can
be remembered.

/s/ JOHN W. LEIST M.D.
John W. Leist, M.D.

Witness to signature:

/s/ JOHN J. HODGSON
JOHN J. HODGSON
Notary Public, Franklin County, Ohio
My Commission Expires Oct. 21, 1956

(SEAL)

C O P Y

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Resident Inspector, Federal Food and Drug
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CA pital 1 - 6411, Ext. 450.

Mr. Russell said that he had information that I had at one time used a "device" (he may have used the words "Orgone Accumulator") from the Wilhelm Reich Foundation.

He said that there had been a court action against the use of the "device" and that he expected there would be another hearing in the near future. He said that the court action had been taken by the Food and Drug Administration.

He said he would like to have information regarding the use of the "device" and its effects.

I said he would have to talk to my attorney. He said "in other words you don't want to say anything without the advice of your attorney?", and I said that that was correct.

He asked who my attorney was and I said that that had to be established and that I would call him when it was established, possibly today, if nothing interfered.

I certify that this is a true record of the conversation between the undersigned and the above mentioned Mr. Russell, as well as can be remembered.

/s/ JOHN W. LEIST, M.D.
John W. Leist, M.D.

Witness to signature:

/s/ JOHN J. HODGSON

JOHN J. HODGSON
Notary Public, Franklin County, Ohio
My Commission Expires Oct. 21, 195_

(SEAL)

C O P Y

ORGONE INSTITUTE RESEARCH LABORATORIES, INC.

50 GROVE STREET, NEW YORK 14, N. Y.

WATKINS 9-2895

March 6, 1956

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Central Office
Washington, D.C.

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The actions of the inspector speak for themselves.

Sincerely,

Michael Silvert, M.D.

Michael Silvert, M.D.

MS:ct

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MAR 7 1956
[Signature]

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He asked me to leave a message for him if I called and he
wasn't in, and that he had arranged to have messages taken, and
he was alone in the office and wasn't always there.

I certify that this is a true record of the conversation
between the undersigned and the above mentioned Mr. Russell, as well
as the facts therein mentioned, and the same shall be remembered.

Witness to signature:

John A. Hodgson
JOHN A. HODGSON
COMMISSIONER OF HEALTH, OHIO
COMMISSION EXPIRES OCT. 21, 1956

John W. Leist
John W. Leist, M.D.



Telephone Conversation at about 9:30 A.M.
on February 21, 1956 with Mr. C. H. Russell,
Resident Inspector, Federal Food and Drug
Administration, Rm. 322, Old Post Office
Building, Columbus, Ohio. Telephone:
Capital 1 - 6411; Ext. 450.

Mr. Russell said that he had information that I had at
one time used a "device" (he may have used the words
"Orgone Accumulator") from the Wilhelm Reich Foundation.

He said that there had been a court action against the
use of the "device" and that he expected there would be
another hearing in the near future. He said that the
court action had been taken by the Food and Drug Administration.

He said he would like to have information regarding the
use of the "device" and its effects.

I said he would have to talk to my attorney. He said
"in other words you don't want to say anything without the
advice of your attorney?" and I said that that was correct.

He asked who my attorney was and I said that that had
to be established and that I would call him when it was
established, possibly today, if nothing interfered.

I certify that this is a true record of the conversation
between the undersigned and the above mentioned Mr. Russell
as well as can be remembered.

witness to signature;

John W. Leist, M.D.
John W. Leist, M.D.

John J. Hodgson



JOHN J. HODGSON
COUNTY CLERK
FRANKLIN COUNTY, OHIO
OCT. 21, 1956

G. I. P. J.

105-11461

Date: March 13, 1956 (orig and 1)

PTI-VJ

To: Commissioner
Food and Drug Administration
Department of Health, Education and Welfare
Fourth Street and Independence Avenue, Southwest
Washington 25, D. C.

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)

Reference is made to previous memoranda with which you were furnished copies of communications received by this Bureau from officials of the captioned Foundation.

By letter dated March 6, 1956, under the letterhead of the "Orgone Institute Research Laboratories, Inc., 50 Grove Street, New York 14, N. Y., Watkins 9-2895," Dr. Michael Silvert advised as follows:

In connection with the Emotional Plague attack by agents of the U.S. Food and Drug Administration against Wilhelm Reich, the discoverer of the Life Energy, we enclose two photostats of interviews between Dr. John W. Leist of Columbus, Ohio, and a local Food and Drug agent.

COMM - FBI
MAR 13 1956
MAIL 10 30

The actions of the inspector speak for themselves.

A single copy of each of the documents furnished by Dr. Silvert is enclosed. These documents include:

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

JFK:et (6) - 9 cc - AAG Warren Olney III (by 0-6: same date) (Enclosures - 2)

MAR 15 2 08 PM '56

SEE NOTE PAGE TWO.

61 MAR 19 1956

[Handwritten signature]

**Letter to Commissioner
Food and Drug Administration
Department of Health, Education and Welfare**

1. A notarized undated statement of John W. Leist, M.D. captioned "Telephone Conversation at about 9:30 A.M. on February 21, 1956 with Mr. C. L. Russell, Resident Inspector, Federal Food and Drug Administration, Rm. 322, Old Post Office Building, Columbus, Ohio. Telephone: Capital 1-6411, Ext. 450."

2. A notarized undated statement of John W. Leist, M.D. captioned "Telephone Conversation at about 9:30 A.M. on February 27, 1956 with Mr. C. L. Russell, Resident Inspector, Federal Food and Drug Administration, Rm. 322, Old Post Office Building, Columbus, Ohio. Telephone: Capital 1-6411, Ext. 450."

Copies of these documents have been made available to Assistant Attorney General Warren Olney III.

Enclosures (2)

NOTE: The Wilhelm Reich Foundation, aka Orgone Institute, is a pseudo-scientific laboratory specializing in cancer research at Rangeley, Maine. Our investigation of this organization in 1950 disclosed no activities harmful to U.S. In 1954 Department obtained an injunction against Foundation to prevent interstate shipment of so-called orgone energy accumulator devices as a result of an extensive investigation conducted by Food and Drug Administration. The devices were misbranded under Food, Drug and Cosmetics Act because of false and misleading claims. Foundation has since fought this injunction in courts. Officials of Foundation, including Silvert, have in past sent baseless complaints to Bureau by telegrams and letters. Memo 4-1-54 contains approved recommendation that communications from Foundation not be acknowledged. Files negative re Silvert.



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON 25, D. C.

March 2, 1956

- Mr. Tolson
- Mr. Nichols
- Mr. Boardman
- Mr. Belmont
- Mr. Mason
- Mr. Mohr
- Mr. Parsons
- Mr. Rosen
- Mr. Tamm
- Mr. Nease
- Mr. Winterrowd
- Tele. Room
- Mr. Holloman
- Miss Gandy

Mr. J. Edgar Hoover
The Director
Federal Bureau of Investigation
Washington 25, D. C.

Re: Wilhelm Reich Foundation
also known as
Organs Institute Research Lab., Inc.
Sorgene Research Institute

Dear Sir:

Attached is a memorandum received in this office from the National Park Service concerning recent activities of this organization. I requested this report in order that the Bureau could be fully advised of the circumstances. It is self-explanatory and may be retained by you for your files.

Sincerely yours,

J. Carroll Moore

Director, Division of Security

ENCLOSURE

Enclosure

RECORDED-57

INDEXED-57

105-11161-87

MAR 14 1956

no action

PROCESSED



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY

WASHINGTON 25, D. C.

March 2, 1956

Mr. J. Edgar Hoover
The Director
Federal Bureau of Investigation
Washington 25, D. C.

Re: Wilhelm Reich Foundation
also known as
Orgone Institute Research Lab., Inc.

Dear Sir:

Attached is a memorandum received in this office from the National Park Service concerning recent activities of this organization. I requested this report in order that the Bureau could be fully advised of the circumstances. It is self-explanatory and may be retained by you for your files.

Sincerely yours,

Director, Division of Security

Enclosure



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
NATIONAL CAPITAL PARKS
WASHINGTON 25, D. C.

MAR 2 1956

Memorandum

To: Director, Division of Security
Office of Administrative Assistant Secretary

From: Chief, Public Use Branch

Subject: Statement regarding a request for permit by
Orgone Research Institute

The following statement relating to the request of the Orgone Research Institute to conduct atmospheric experiments in East Potomac Park is submitted in accordance with your verbal request.

On about January 24, Mr. William Moise, Secretary, Orgone Research Institute, Alban Towers, Rm. 433, 3700 Massachusetts Avenue, N. W., called at this office to request permission to operate a 3/4 ton Ford platform truck (Maine license, SPC 12757) along Ohio Drive to Hains Point for the purpose of conducting atmospheric research experiments. It was explained to me by Mr. Moise that these experiments related to atmospheric conditions causing smog, which constitutes a major problem in some sections of the nation, and that the experiments would be made several times weekly. The applicant explained that the truck would be in the area approximately 1 1/2 hours on each of these occasions.

On January 24th a permit was written authorizing the driving of the vehicle mentioned above along Ohio Drive to Hains Point in order to conduct this research.

A week or so later, Mr. Moise returned to my office with the further request that permission be granted for the placing of a piece of equipment at the Hains Point location for use in connection with these experiments. It was explained to Mr. Moise at this time that a request should be put in writing in order that other members of the National Capital Parks staff might consider the wisdom of granting the request. Such a request, dated February 13, was forwarded to the Superintendent of National Capital Parks. The drawing of a so-called space gun, submitted with the request, somewhat astonished members of our staff and on February 17 the Institute was requested

105-11461-87

ENCLOSURE

1

to suspend all experiments until further notice. On the same date, a second letter was addressed to Mr. Moise revoking the permit of January 24 for the operation of a truck in the Hains Point area and advising him of our inability to comply with his request of February 13th for the placing of additional equipment in the park until certain information was obtained.

Mr. Moise again visited my office, bringing with him scientific publications put out by his Institute. He emphasized the extreme secrecy surrounding the nature of the experiments being conducted and spoke vaguely about a new major discovery. It was explained to Mr. Moise that our staff was not technically qualified to analyze the subject sufficiently to warrant continued operations under official permit of this office. We informed him that should another agency of the Government, with personnel qualified to speak authoritatively on the subject of his research, would address a letter to this office, indicating that the studies were being made in cooperation with the Government and that no hazards of any type were involved, that we would be pleased to reconsider this matter.

We further thought it wise to confer with the Federal Bureau of Investigation on this matter. As you know, the report from that Bureau was not unfavorable, but the National Capital Parks advised the Orgone Research Institute that no further experiments of any type are to be made in areas under the jurisdiction of this office, and the United States Park Police have been so notified.

The address of the Orgone Research Institute is P.O. Box 53, Rangeley, Maine. Wilhelm Reich, M.D., who heads the Institute is reputed to be the discoverer of "Cosmic Orgone Energy."

T. Sutton Jett

T. Sutton Jett
Chief, Public Use Branch

Mr. William Moise
Orgone Research Institute
Altin Towers, Rm. 433
3700 Massachusetts Ave., N. W.
Washington, D. C.

Dear Mr. Moise:

This will refer to our letter addressed to you on January 24 authorizing the operation of a 3/4 ton Ford platform truck (license No. Maine SPC 12757) along Ohio Drive to Eains Point for the purpose of conducting atmospheric research experiments. We have also received your letter of February 13th requesting permission to mount equipment at this location to use in connection with this research.

I regret the necessity of revoking the permit of January 24th for the operation of the 3/4 ton Ford platform truck in the Eains Point area, and our inability to comply with your request of February 13 until additional information has been provided relating to the nature of this research project.

Sincerely yours,

Frank T. Cartside
Assistant Superintendent

ett:tot

Copies to: Files (2)
Park Police (2)
Mr. Harding (2)
Mr. Jett (1)

105-11461-87
ENCLOSURE

ORGONE INSTITUTE

ORGONON

Temporary address

R. 433

Alban Towers Hotel

3700 Mass. Ave. N.W.

Washington, D.C.

Edward T. Kelly, Superintendent

National Capital Parks

Interior Building

Washington, 25 D.C.

Dear Mr. Kelly:

The Orgone Institute is presently engaged in
a series of research in Washington, D.C. and for this
purpose requests permission to mount a Wilhelm Reich
Space Gun at the indicated location on the site point.

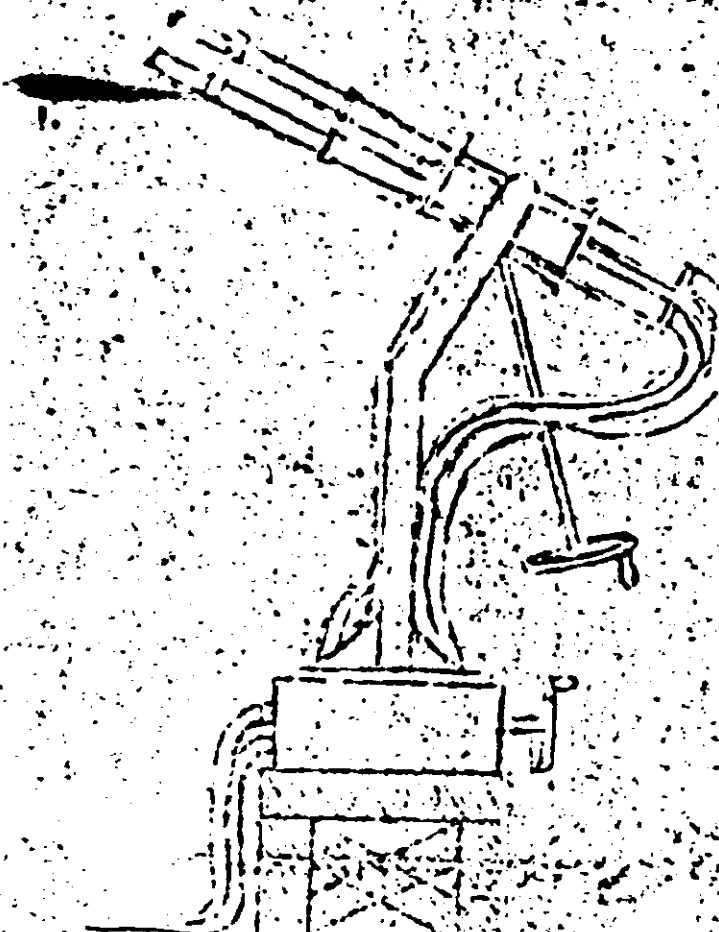
A photograph of a Space Gun and a sketch showing
a Space Gun, size and type of the wooden base it is
to be mounted on and the location desired is enclosed.
Any additional information needed will be furnished
at your request.

Sincerely,

William Hulse, Secretary
for The Orgone Institute

105-11461-87

ENCLOSURE



Space Gun

3 feet

WOODEN BASE

1 foot

3 feet 4"

ground



WASHINGTON CHANNEL

N
↓
S

Location Requested →

105-11461-87

WATER POINT

LIFTING FOG

No matter what the variations, the principle remains the same as described: Drawing from an existent cloud destroys the cloud. Drawing from its vicinity makes it grow.

It is necessary to stop at this point. Strange reactions to cloud-lifting in Stangeley, Maine, have been observed in distant vicinity Boston; such influence on far away regions is due to the permeability of the air envelope; the details will require extensive and careful study. We have always been cautious not to create white cloud-lifting, since small twisters and rapid changes of winds have been observed beyond any reasonable doubt. Also, on one occasion, heavy prolonged rain occurred over the area.

Cloud-lifting as a task of Cosmic Engineering will by far transcend the facilities and possibilities of any single institution and even state or country. Cloud-lifting is truly an international affair with no regard for national borders. There are neither passport controls nor custom officers in the sky where the weather is being made. This is good and as it should be in Cosmic or Engineering (C.O.E.).

LAWFUL REGULATION OF CLOUD-LIFTING WILL PROVE INDISPENSABLE IF CHAOS IS TO BE AVOIDED.

III. FOG-LIFTING

When it had been safely secured that the organismic potential was satisfactorily operating in removing the non-lifting clouds over Oregon, and in breaking as well as in lifting of rain clouds, a new problem of fog presented itself.

It was late in summer 1952, the autumn and winter with fog and snowstorms were just ahead of us. Would it be possible to lift dense fog to the extent of letting the sun shine over a certain region? In the present communication we shall only deal with the lifting of fog. The experiments with fog-lifting were conducted from October to December, 1952, at Oregon, Maine, and are being continued.

The following photograph presents the first Cloudlifter, built by the Southworth Machine Company in Portland, Maine, in 1952. Earlier, a much more primitive device was constructed and operated at Oregon.

105-11461-87

ENCLOSURE

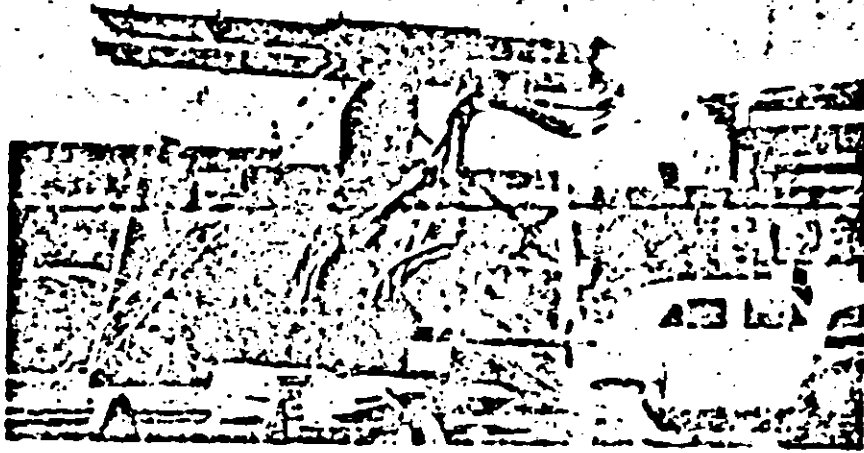


FIGURE 54. THE CLOUDBUSTER MOUNTED ON TRUCK WITH TELESCOPED DRAW PIPES.

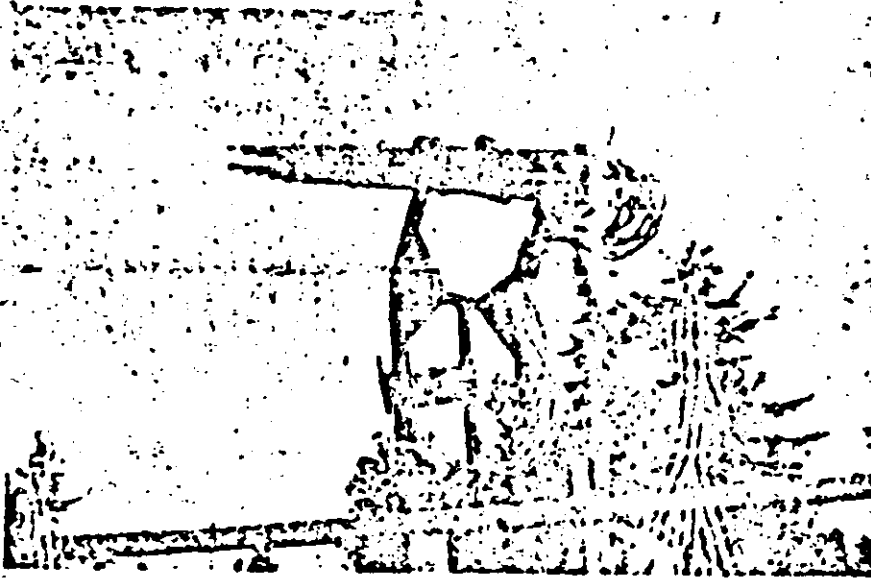


FIGURE 55. THE CLOUDBUSTER MOUNTED ON A TRUCK WITH DRAW TUBES EXTENDED.

105-11461-87

ENCLOSURE

>

Mr. William Moise
Oxrose Research Institute
Albin Towers, Rm. 433
3700 Massachusetts Ave., N. W.
Washington, D. C.

Dear Mr. Moise:

In accordance with your verbal request, permission is granted for the operation of a 3/4 ton Ford platform truck (license No. Maine SPC 12757) along Ohio Drive to Hains Point for the purpose of conducting atmospheric research experiments.

It is understood that this equipment will need to travel to Hains Point several times weekly, to remain for a short period of time, possibly 1 1/2 hours. The experiments are expected to continue through April.

This permit is issued with the understanding that approach to Hains Point will be via 14th Street to Ohio Drive on the Washington Channel side; thence, via Luckeye Drive and then south along Ohio Drive to Hains Point, and that the experiment will be conducted between the hours of 9:30 a.m. and 4:00 p.m. and between 6:30 p.m. and 7:00 a.m. The operation of this vehicle in east and west Potomac Parks should be avoided during the blossoming of the Japanese Cherry Trees, expected in early April, and during the blossoming of the double cherry trees on Hains Point, toward the middle of April.

Sincerely yours,

Frank T. Cartside
Assistant Superintendent

TSJett:tot

Copies to: Files (2)
Park Police (2)
Mr. Harding (2)
Mr. Jett (1)

105-11461-8

Office Memorandum

UNITED STATES GOVERNMENT

TO: JOHN EDGAR HOOVER, DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

DATE: APR 3 1956

FROM: K. L. Milstead
Director of Regulatory Management

SUBJECT: File No. 105-11461

Wilhelm Reich Foundation
Rangeley Maine (AF 1-962)

Thank you for your memorandum of March 13, 1956, addressed to the Commissioner of this Administration with enclosures relating to the Wilhelm Reich Foundation.

K. L. Milstead
K. L. Milstead

RECORDED-100

105-11461-88

11 APR 4 1956

52 APR 9 1956

39
EXP. PROC.
APR 4 1956

[Handwritten signature]

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 4-2-56

FROM : L. B. Nichols

SUBJECT: WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING

- Tolson
- Boardman
- Nichols
- Belmont
- Harbo
- Mohr
- Parsons
- Rosen
- Tamm
- Sizoo
- Winterrowd
- Tele. Room
- Holloman
- Gandy

9-1
8-1

Mr. ^{JOSEPH} James McGuire, Food and Drug Division, Health, Education and Welfare Department, telephonically contacted me on 3-22-56 relative to determining if we had received a pamphlet from the captioned organization entitled "Wilhelm Reich - Biographical Material--- History of the Discovery of the Life Energy." In view of my being tied up on other matters, I had DeLoach call McGuire back 3-26-56 and inform him that we had received the pamphlet in question from the Wilhelm Reich Foundation. Mr. McGuire advised that his organization was extremely interested in this Foundation inasmuch as much of the work of this organization concerns "quack methods of producing cures." The pamphlet in question has been widely distributed.

Files reflect that Wilhelm Reich was the subject of a security type investigation in 1941. He was apprehended as a German alien 12-12-41. He was born 3-24-97 in Dobzownica, Austria. He entered the U.S. 8-28-39, destined to the New School for Social Research in New York City to teach psychology. This appointment was terminated in 1941 by the school officials who claimed that Reich "smacked of quack tactics." Unverified information has been received indicating Reich's activities with the Communist Party. He was reportedly expelled from the Party in Norway for not adhering to the Party line. The Wilhelm Reich Foundation was investigated by the Bureau in 1950. It is additionally known as the "Orgone Institute Research Laboratories." It reportedly specializes in the treatment of cancer; however, is regarded in medical circles as a "quack outfit."

ACTION: For record purposes

CDD:hpf
(3)

cc - Mr. Jones

RECORDED - 64
INDEXED - 64
EX-121

105-11461-89

APR 5 1956

SECRET

8148
11750

92B

Interim Secte

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-11461)

DATE: 5/18/56

FROM : SAC, NEW YORK (62-11591)

SUBJECT: WILLIAM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
(ESPIONAGE)

On 5/11/56, Dr. MICHAEL SILVERT, 50 Grove St., NYC, and WILLIAM NOISE, Hancock, Maine, personally appeared NIO and alleged that USA's PETER MILLS and JOSEPH MAGUIRE, Portland, Maine, were guilty of conspiracy and perjury along with one THOMAS MANERAVITS, in the Contempt of Court Trial in Federal District Court, Portland, Maine, 5/2-5, 7/56, in which SILVERT and the subject organization were co-defendants.

SILVERT stated he was found guilty in the above-mentioned proceeding and is up for sentencing on three counts 5/25/56, for failure to comply with an injunction issued 3/19/54. SILVERT has contacted NIO on previous occasions with allegations that were not substantiated on impersonations, and Red Fascist Communist activities.

SILVERT did not offer facts to substantiate his allegations against MILLS, MAGUIRE and MANERAVITS.

- 2- Bureau (105-11461) (RM)
- 2- Boston (100-22860) (Info) (RM)
- 1- New York (62-11591)

RLM:gms
(5)

RECORDED-68

INDEXED-68

14 MAY 23 1956

EST. NIO

52 JUN 6 1956

53 MAY 29 1956

June 5, 1956

**Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
United States Department of Justice
Washington, 25, D.C.**

Dear Mr. Hoover:

The Food and Drug Administration has actively participated in and must be held largely responsible for trials abortive proceedings. I refer to the trial of Wilhelm Reich, M.D., and Michael Silvert, M.D., in the Portland, Maine, Federal Court; to their having been sentenced to terms in the Federal penitentiary; and to the fining of the Wilhelm Reich Foundation. Dr. Reich resides near Rangeley, Maine, and Dr. Silvert in New York City.

Their conviction was unjust and illegal. They were held in contempt of court for ignoring an unconstitutional injunction. The injunction passed judgment on natural scientific discoveries on the basis of improperly conducted, secret control experiments, at the instigation of self-interested parties who remain in hiding. It is a culmination of a long chain of irrational actions on the part of the F.D.A. investigators, who refused to consider any evidence that spoke against their preconceived case against orgonomy; who continually ignored facts, refused to proceed in a forthright, cooperative manner, and even attempted to discredit and slander individuals involved.

Orgonomy, or any new science, cannot admit the authority of the F.D.A. to pass judgment on scientific findings which they do not first familiarize themselves. Chief among these are the discovery of the energy of life, termed orgone, and the application of this energy, present in the atmosphere in accumulators. Orgone energy, the existence of which is denied by the F.D.A., has been proven to exist in many ways. The F.D.A.'s relation to orgone energy has been similar to that of a blind man criticizing a painting. Moreover, the F.D.A. has consciously or unwittingly served the interests of communism and has struck a mighty blow against democracy and the right of true facts to have an equal chance, at least, against false arguments and lies.

RECORDED - 94

INDEXED - 94

20 JUN 1956

The health, welfare and happiness of the world's people most immediately, the American people, are involved; it is not a matter of personal injustice alone. The F.D.A. is impeding and attempting to destroy a most promising new realm of science which already has solid accomplishments to its credit.

The orgone accumulator, developed as a result of decades of research, would, if prescribed by physicians with an understanding of organomic medicine, compete to the disadvantage of much of today's pharmaceutical industry. Dr. Reich's grasp of the nature of politics, fascism, and other irrational institutions, has made him enemies among their representatives. Some unknown individuals in the drug and chemical industries the American Medical Association, and the Communist organization, are working behind the scenes to destroy organomy, and particularly its chief representative, Dr. Reich. They have strongly influenced the F.D.A. actions. The details of the known behavior of these agencies and the background of the conspiracy are too complicated to be described in a letter. The true facts are extensively documented and published by the Orgone Institute Press, and cover hundreds of pages.

We are not dealing here with a fraud, or financial exploitation. The Wilhelm Reich Foundation is a non-profit, scientific, research and educational institution, incorporated in the State of Maine. Dr. Reich has never made a cent from his discoveries; on the contrary, he has put hundreds of thousands of dollars of his own monies into the work. Dr. Reich has never advocated, hinted at, or claimed a cure of cancer or any other disease. He and his associates, many of whom are M.D.'s, have published clinical reports, as is done everywhere in the world of scientific research. The cases in which orgone energy was employed medically, through the use of the orgone accumulator, were conscientiously reported, and the results are very promising. The orgone accumulator is not prescribed indiscriminately. In some cases it is not indicated, but conventional means of therapy are.

Those who came to Dr. Reich expecting miracle cures, and were naturally disappointed, have turned hatefully against organomy and have published such lies as: the orgone accumulator provides orgasmic potency (their own expectation); Dr. Reich claims a cancer cure, etc. Out of their own frustration they also maligned Dr. Reich personally. Other enemies spread the lies.

Dr. Reich and Dr. Silvert are leaders in the fight for life, decent love, and the triumph of truth; in short, for the highest ideals of man. Most publications of the Orgone Institute bear the words, "Love, work and knowledge are the well springs of our life. They should also govern it." The words are deeply meant. The Communists, fascists and others who violate these principles are among orgonomy's most bitter enemies. Dr. Reich cooperated with the F.D.A. until their methods of investigation made it clear they had ulterior motives and preconceived prejudices. While the F.D.A. has proceeded in secret and conducted their inquiry under false pretenses, Dr. Reich and the Wilhelm Reich Foundation have always communicated all important facts to the public as well as to the proper governmental authorities.

The world is in gigantic turmoil: drought, floods and desert accumulation are gaining on one front; and hate, violence, crime, underhanded politics, the international conspiracy of communism and other forms of irrationalism on the other. It is these very problems which Dr. Reich's 35 years of consistent scientific labor unforeseeingly led him to deal with. His book, "Character Analysis," is a recognized landmark in psychiatry. "The Mass Psychology of Fascism" provides the first convincing explanation of mass irrational movements and the support dictators receive from basically decent masses of people.

Dr. Reich has worked with tremendous devotion and integrity and has discovered other most promising weapons. Perhaps you are aware that he and his co-workers have succeeded in neutralizing dangerous nuclear energy (see "The Oranur Report") at the risk of their lives; combating desert formation in the Tucson, Arizona area (see CORE Bulletin, Dec. 1955); breaking drought and diverting a hurricane out to sea (see CORE Bulletins, July 1954, March 1955). The orgone accumulator, used under the supervision of a medical orgonist, is an equally fruitful form of therapy. In the hands of incompetents and those ignorant of orgonomic facts and processes, its techniques and methods are inexplicable and seem worthless, surely as an airplane is valueless in the hands of a baby.

Yet Dr. Reich is to be imprisoned? That this sort of thing occurs in an iron curtain country, we know. That such a conspiracy seems to be succeeding in the United States of America is fantastic, but true. Orgonomy has already accomplished a tremendous amount in the service of life and human. Its enemies have yet to refute orgonomic findings on rational

scientific grounds. On the contrary, the findings have been experimentally confirmed by many workers.

To stand by and frivolously say, "That's the way it goes," or to do nothing, is irresponsible, neglectful behavior. The case needs to be gone into so that the true facts may be brought to light.

I urge your attention and action in this vital matter, in the direction of allowing Dr. Reich and Dr. Silvert, their civil liberties and the right to work on and publish their findings, to which they are entitled.

Yours very truly,

[Redacted signature]

[Redacted address]
New York City 14

STANDARD FORM NO. 64
Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: 6-5-56

FROM : L. B. NICHOLS

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mason _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Nease _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

SUBJECT: WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
BUFILE 105-11461

For record purposes, Mr. Joseph Maguire, General Counsel of the Food and Drug Division of the Department of Health, Education and Welfare, advised Mr. McGuire of my office that he understood recently a Doctor Michael Silvert of New York City called at the New York Office reporting that United States Attorney Peter Mills, Mr. Joseph Maguire, and one Thomas Mangravite were guilty of perjury in connection with the trial of Silvert, Wilhelm Reich, and the Wilhelm Reich Foundation in the contempt of Court Trial held in Federal District Court, Portland, Maine, May 2 through May 7, 1956, in which Silvert and others were co-defendants. Mr. Maguire advised that he understood our New York Office advised our Boston Office as he had received this information concerning Silvert's visit from United States Attorney Peter Mills in Maine. What concerned Mr. Maguire was whether Thomas Mangravite actually was also named along with himself and Peter Mills. Mangravite, an employee of the Reich Foundation, eventually became a government witness and just as a follow-through, Maguire wanted to be sure whether there was an indication if Mangravite was now back in the fold with Reich and Silvert. Maguire advised that on May 25, 1956, Wilhelm Reich was found guilty and given a two years sentence. Silvert was found guilty and given a year and a day, and the corporation was fined \$10,000.

On checking the file we found that the New York Office reported by letter to the Bureau that Doctor Michael Silvert, one William Moise of Hancock, Maine, did personally appear at the New York Office alleging that United States Attorney Peter Mills, Mr. Joseph Maguire and Thomas Mangravite were guilty of conspiracy and perjury, but Silvert had no facts to substantiate his allegations against any of these persons. Mr. Maguire of the Food and Drug Division accordingly was advised that Silvert and Moise did appear and made nonspecific charges which were not substantiated against Mills, Maguire, and Mangravite.

JJM:mcg
(2)

RECORDED 20
INDEXED - 20

11 JUN 11 1956


Memorandum to Mr. Tolson
Re: Wilhelm Reich Foundation
Miscellaneous - Information Concerning

6-5-56

We have been of considerable assistance to both United States Attorney Peter Mills and Mr. Joseph Maguire in this case although we had not been conducting any active investigations of this at a recent date. Wilhelm Reich was the subject of a security type investigation, having been apprehended as a German alien 12-12-41, coming from Austria where he was to teach in the New School for Social Research in New York City handling the talk - psychology. He was let out by the school because Reich "smacked of quack tactics." We had unverified information indicating Reich's activities with the Communist Party and that he had been expelled by the Party in Norway for not following the Party line. We conducted some inquiries regarding the Wilhelm Reich Foundation in 1950 which was known as Orgone Institute Research Laboratories reportedly specializing in the treatment of cancer. However, medical circles regarded the outfit as a "quack organization." Mr. Joseph Maguire described the above persons as being psychopatic in their actions in Federal Court. The contempt proceedings are atrocious as they tried even to bring guns into the court and the Deputy United States Marshall, in fact, found a pistol in the handbag of one of the women associated with the defendents when she entered the courtroom during the proceedings. Mr. Joseph Maguire has been most appreciative for the assistance the Bureau has given to the Food and Drug Division in this matter.

ACTION:

For record purposes.



Handwritten signature

WILHELM REICH, mentioned in the above letter, is the one-time German communist who got the N. Y. State Department of Mental Hygiene to print that filthy sex editorial attacking us, ridiculing the Bible, etc. The unsigned editorial was placed in schools by an Ohio organization using re-printed copies.

Please note that the REICH writings are banned. We furnished the Government with 40 pages of facts about REICH.... You have read our new book: COMMUNISM AND THE MORAL BREAKDOWN IN AMERICA and will recall us mentioning REICH.

We appreciate your interest in our Christian education program.

- Albert H. Crombie, now on tour.

YOUTH PROBLEMS
An Educational Association
P. O. BOX 1164 — CLEARWATER, FLA.

Handwritten signature

RECORDED

EX-109

RECORDED
INDEXED 82

EX-109

JUN 22 1950

DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE
FOOD AND DRUG ADMINISTRATION
WASHINGTON 25, D.C.

June - 1 1956

Dear Mr. Cronbie:

This will reply to your letter of May 26, 1956, requesting information as to the outcome of the recent criminal prosecution against Dr. Wilhelm Reich and others on contempt of the injunction.

On May 7, 1956, a Federal jury at Portland, Maine, found Dr. Wilhelm Reich, Dr. Michael Silvert, and the Wilhelm Reich Foundation guilty of criminal contempt of court on charges alleging that they failed to comply with the injunction.

Judge George C. Sweeney, Chief Judge of the Federal Court, Boston, Massachusetts, pronounced sentence in this case on May 25, 1956, at Portland as follows:

Wilhelm Reich, M. D. - two years in jail;
Michael Silvert, M. D. - one year and one day in jail;
\$10,000 fine against the Wilhelm Reich Foundation.

The court continued the bail of \$15,000 for each of the personal defendants on condition that they immediately cease distributing Orgone Energy Accumulators and the misbranded literature. If they fail to cease operations, they were warned by the court that the bail will be canceled and they will be committed. Defendants have filed a motion to appeal the case to the U. S. Court of Appeals for the First Circuit at Boston.

In an earlier sentencing on May 7, 1956, Judge Sweeney also fined two of these defendants and associates who had previously been found guilty of contempt of his court as follows for failure to appear as ordered for the trial:

Wilhelm Reich, M. D. - \$500
Michael Silvert, M. D. - \$300
Thomas Mangravite - \$100
Camile Thruston - \$ 25
Miriam Sheppard - \$ 25
Parker-Broeg (on plea
of nolo) - \$ 15

The fines involving contempt of Judge Sweeney's court were immediately paid.

Sincerely yours,

K. L. Milstead
Director of Regulatory Management

Enclosure
Stamped Envelope

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-11161)

DATE: 8/27/56

FROM : SAC, BOSTON (100-22860)

REGISTERED MAIL

SUBJECT: WILHELM REICH FOUNDATION
 MISCELLANEOUS - INFORMATION CONCERNING
 (ESPIONAGE)

On July 29, 1956, Mr. WILLIAM MOISE of the Orgone Institute, Rangeley, Maine, telephonically contacted the Boston Office. Mr. MOISE stated that he was calling in behalf of Dr. WILHELM REICH, Director of the Orgone Institute, and said that Dr. REICH was anxious to speak with an Agent of the F.B.I. concerning alleged espionage information which he wished to make known to the F.B.I.

On July 30, 1956, Dr. REICH and Mr. MOISE were interviewed at Rangeley, Maine, by SA [REDACTED]. At that time MOISE and REICH stated that Dr. REICH had become the center of an international conspiracy against his work in the field of Orgone research. They explained that Dr. REICH is the discoverer of Orgone energy which they described as the energy of life. They stated that it is their feeling that the Orgone Institute research is of vital importance to the welfare of the United States and that a campaign is being waged against that organization by unknown and unidentified forces abroad which they firmly believe to be Russia and other totalitarian states. They stated that people are constantly appearing at the Institute to spy under the guise of asking for directions and also by directing communications to the Institute, requesting literature describing the Institute's work. They stated that these visitations and letters appear to be innocuous but that they are, in fact, a system of spying and obtaining information about the research being conducted at the Orgone Institute. Dr. REICH stated that the individuals who stop at the Institute and those that write in are innocent "victims" of the "forces" abroad who control these individuals by the force of cosmic energy.

Dr. REICH and Mr. MOISE were unable to furnish any specific information concerning any attempted espionage or other information in which the Bureau has jurisdiction.

Dr. REICH and Mr. MOISE were advised that should they obtain any information bearing on the internal security of the United States or in any other matter in which the Bureau has investigative interest, they should immediately communicate with the nearest office of the F.B.I.

RECORDED - 4

JMM:MT

2-Bureau (105-11161) (RM) INDEXED - 4

1-Boston (100-22860)

E7 AUG 27 1956

(3)

ESPIONAGE

~~100-22860~~ 100-22860

Following this interview Dr. REICH has since made several telephone calls to the Resident Agency at Augusta, Maine, and has also called the Boston Office. In addition, he has directed some written communications to the Resident Agency at Augusta, Maine, all of which pertain to the above information.

This information is being brought to the attention of the Bureau, inasmuch as it is felt that Dr. REICH is a mental case and the possibility exists that he may at some time in the future direct communications to the Director.

DO-6

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson _____
Mr. Nichols WJ
Mr. Boardman _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Trotter _____
Mr. Jones ✓
Mr. Nease ✓
Tele. Room _____
Mr. Holloman _____
Miss Holmes _____
Miss Gandy _____

Handwritten notes:
W. J. ...
Mr. ...
...

6 JAN 9 1957

Registered
Notum David Register

RETURN OFFICER REQUESTED

TO:
J. EDGAR HOOVER, Chief
Federal Bureau of
Investigation
Washington, D.C.

RETURN OFFICER REQUESTED

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EX-125

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ENCLOSURE

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No 6

Supreme Court of the United States

October Term, 1956

No. 685

WILHELM REICH, THE WILHELM REICH FOUNDATION and
MICHAEL SILVERT,
Petitioners,

v.

UNITED STATES OF AMERICA,
Respondent.

PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

WILHELM REICH, M. D.
Counsel for the
Discovery of the Cosmic Life Energy
Orgonon, Rangeley, Maine

Pro Se

Washington
Jan. 10, 1957

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 AB—Appeal Brief
 RB—Reply Brief
 WRF—Wilhelm Reich Foundation

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Supreme Court of the United States

October Term, 1956

No. _____

—————
WILHELM REICH, THE WILHELM REICH FOUNDATION and
MICHAEL SILVERT,
Petitioners,

v.

UNITED STATES OF AMERICA,
Respondent.

—————

PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

Petitioners above named pray that a writ of certiorari issue to review a decision and judgment of the United States Court of Appeals for the First Circuit which affirmed judgments of the United States District Court for the District of Maine, Southern Division, entered on May 25, 1956 (R. 534-541).

For background and scientific development of Wilhelm Reich, see Appendix page 11a.

The petitioner Silvert is a licensed physician who has employed the principles of Orgonomy in the treatment of patients and worked with Reich among other physicians and scientists in recent years in the development of cosmic energy experiments.

The Wilhelm Reich Foundation * was established and incorporated in the State of Maine as a non-profit organization under Chapter 50 of revised statutes.

Both the Wilhelm Reich Foundation and Michael Silvert have agreed to adopt as their own the petition and argument of Wilhelm Reich. The Foundation was suspended in 1954 and dissolved December 31, 1955.

* The purposes of said corporation were:

1. To conduct research and teaching in cosmic orgone energy (orgone physics, orgone biophysics), and natural science generally, its medical, technical, other and all future applications;
2. To establish, operate and maintain laboratories and observatories for scientific purposes;
3. To establish, operate and maintain clinics and hospitals for orgonomic medical research and medical orgone therapy;
4. To establish, operate and maintain educational institutions;
5. To establish, operate and maintain bio-energetic research in agriculture;
6. To acquire and preserve the instruments, library and archives of Wilhelm Reich;
7. To preserve the discoveries of Wilhelm Reich and secure them for posterity by the establishment of institutions of learning, maintenance of museums or otherwise;
8. To publish any material concerning the discoveries and work of Wilhelm Reich; and all future work of the corporation based on these discoveries. (*Orgone Energy Bulletin*, 1951, burned on Court order, August, 1956.)

OPINIONS BELOW

The United States Court of Appeals for the First Circuit delivered an opinion by Woodbury, Circuit Judge. That opinion has not yet been reported and is printed as an appendix to this petition. (See p. 1a.) There was no opinion in the District Court.

JURISDICTION

The judgment of the Court of Appeals was dated, made and entered on December 11, 1956. (See p. 9a.) The jurisdiction of this Court is invoked under 28 U. S. C. 1254 (1), 62 Stat. 928.

QUESTIONS PRESENTED

A. Whether the responsible citizen has, in a self-governing society, within the framework of the Constitution of the U. S. A., the natural civic right to ignore an *unlawful* court order, if this order directs him to break into a safe; to violate the Constitution of the U. S. A.; to lie under oath; or to submit to a commercial and political conspiracy to defraud the U. S. public of a discovery crucial during a planetary emergency.

**B. Basic Statutory Questions Involved in Setting
Legal Precedent:**

I. GENERAL: Whether congressional statutes, well defined to rule a certain circumscribed realm of social functioning (A), may be lawfully applied to realm (B), a *new* realm of nature, also circumscribed and defined, but entirely different from (A)?

II. CONCRETELY: Whether statutes which rule the functioning of railway systems may be lawfully applied to the functioning of air travel systems? Or are rules which govern air travel legally applicable to future space travel?

III. SPECIFICALLY: Whether the Act of Congress (Pure Food Act, 52 Stat. 1043, 21 U. S. C.), which rules the production and distribution of foods and drugs, may be applied to *basic scientific research* in general, and research in the realm of the "ETHER" or "COSMIC ENERGY" in particular?

C. 1. Whether injunctions against basic scientific research in newly discovered realms of nature, obtained by fraud, by misrepresentation of facts to the courts, by concealment of pertinent facts, and by outright falsification of facts, are *lawful* orders.

2. Whether court orders obtained by fraud and conspiracy are, as unlawful orders, automatically null and void. Whether the law requires orders to be *lawful* orders based on *fact* not opinion only, on *truth* and not on falsification, misrepresentation and concealment of fact.

3. Whether government has jurisdiction to determine questions of scientific opinion in realms of *new knowledge of basic natural research*.

4. Whether basic research in natural science in hitherto *unknown* realms of nature requires *new laws* of administration and should not be subjected to existing statutory laws, designed to administer *established* knowledge of a *different* kind.

D. Whether non-appearance in court to answer a fraudulent complaint is legally justified, IF

1. a) the acting judge has been informed of the decision not to appear, and of its reasons;

b) these reasons (not to appear in Court) are such that it can be shown by factual evidence and argument, it would have inevitably led to ruin at the hands of a cunning conspiracy;

c) there is no other way to avoid entrapment;

d) it can be shown that the acting judge was victimized to the detriment of his objectivity to do justice in the case.

2. Whether, furthermore, such non-appearance may lawfully be used by the conspirator to carry through his plan to obtain the default injunction.

3. Whether such non-appearance confers jurisdiction upon the Court under influence of conspiracy to proceed without examining its own jurisdiction.

STATUTES INVOLVED**I. The case on Trial and on Appeal is without factual and legal Precedent.**

(Appeal Brief, *WR vs. U. S. A.*, pp. 2-20, 21-51):

- 1) *Factually*: Discovery of Cosmic Energy involves space problems without precedent: *Petitioner succeeded in disabling space craft May 12, 1954* (see p. 8, *et seq.*).
- 2) *Judicially*: There are no applicable Congressional Statutes since material substance of the discovery is without precedent: *Space Ships are causing planetary ("DOR") Emergency by draining Life Energy from the Planet, causing drought and desert development.*

II. Constitution of the U. S. A.

- 1) The scope of judicial power of Federal Judges over basic scientific research. Art. III, 2.
- 2) Exclusion of pertinent evidence from jury trial. Art. III, 3.
- 3) Obedience to unlawful orders obtained by fraud and designed to serve conspiracy. Art. III, 2.

(See Appendix, p. 10a.)

III. Procedural Rules Involved

- 1) Rule of Criminal Procedure, Rule 12, Subdivision (b), (2) and (4):

Subdivision (b) (2): "Lack of jurisdiction or the failure of the indictment or information to charge an offense shall be noticed by the court at any time during the pendency of the proceeding."

Subdivision (b) (4): "A motion before trial raising defenses or objections shall be determined before trial unless the court orders that it be deferred for determination at the trial of the general issue. An issue of fact shall be tried by a jury if a jury trial is required under the Constitution or an act of Congress. All other issues of fact shall be determined by the court with or without a jury or on affidavits or in such other manner as the court may direct."

STATEMENT OF THE CASE AND BACKGROUND

I. A Cosmic Event Without Precedent (May 12, 1954)

First Contact with Outer Space

On May 12, 1954, seven weeks after issuance of the injunction, an unprecedented event occurred at Orgonon, Rangeley, Maine, where the Orgone Institute Research Laboratories of the Wilhelm Reich Foundation are located.

The following is a verbatim excerpt from the "Second Oranur Report (1951-1956)", under the title, "First Contact with Outer Space" (Vol. V, Rec. App., Suppressed Evidence, R. 585):*

An Event Without Precedent

(On Trial Record under secret code, OROP DESERT Ea)

"I made actual contact by way of the cloudbuster with luminous objects in the sky on May 12, 1954, between 9:40 and 10:45 p.m.

"During this hour men on earth saw for the first time in the history of man and his science *two 'Stars'*

* Vol. V of Record Appendix in Appeals Court (see "Group D" in "Parts of Record to be Printed," p. 5r, Appendix to Appeal Brief of WR), being voluminous to the extent of about 300 pages, could not be submitted to the Circuit Court of Appeals in due time. A motion to extend time for filing was denied. Vol. V of the Record Appendix contains the crucial evidence which was suppressed at the trial, May 3-7, 1956. It constitutes, also, the evidence which would have freed the defendants had the jury known its contents. *The substance of this report, however, was at the time top secret.* This report is not under injunction. It was the main objective of the commercial and political conspiracy and of espionage activities which harassed the work and life of the Discoverer of the Life Energy and his staff for a full 10 years, beginning 1946 (see Exhibit No. 4, Vol. I of Record Appendix: "Red Thread of a Conspiracy" and "Table of Events").

to the west fade out several times when cosmic energy was drawn from them. The shock of this experience was great enough not to repeat such action until October 10th, 1954. The reason for the hesitation was obviously the risk to precipitate an interplanetary war by such experimentation. The event was kept secret until 1957.

"The (AAF) Ruppelt report on UFO's (Unidentified Flying Objects) clearly reveals the helplessness of mechanistic method in coming to grips with the problems posed by the spacemen. The cosmic orgone energy which these living beings are using in their technology is beyond the grasp of mechanistic science since cosmic laws of functioning are not mechanical but what I term 'functional.' Even the mathematical theory necessary to formulate these problems and make them technologically usable, cannot use any of the old mechanistic methods of thought to cope with the functional OR facts.

"The helplessness of mechanistic thinking appears in the tragic short-coming of our fastest jet fighter planes to make and hold contact with UFOs. Being unavoidably outdistanced is not a flattering situation for military pride. The conclusion seems correct: Mechanistic methods of locomotion must be counted out in coping with the spaceship problem. Neither propeller nor jet will or can ever get us into space beyond.

"Easy contact was made on that fateful day with what obviously turned out to be a heretofore unknown type of UFO. I had hesitated for weeks to turn my cloudbuster pipes toward a 'star,' as if I had known that some of the blinking lights hanging in the sky were not planets or fixed stars but SPACE machines. With the fading out of the two 'stars,' the cloudbuster had suddenly changed into a SPACEGUN. From then onward, too, our approach to the problem of space became positive, affirmative, confident in using our carefully screened data.

"New Tools of Knowledge Needed

"When I saw the 'star' to the west fade out four times in succession, what had been left of the old world of human knowledge after the discovery of the OR energy 1936-1940 tumbled beyond retrieve. From now on everything, anything was possible. Nothing could any longer be considered "impossible." I had directed drawpipes, connected with the deep well, toward an ordinary star, and the star had faded out four times. There was no mistake about it. Three more people had seen it. There was only one conclusion: *The thing we had drawn from was not a star. It was something else; a 'UFO.'*

"I must remind the reader that in May 1954 I had read only one report on UFOs; I had not studied anything on the subject. I knew practically nothing about it. But my mind, used to expecting surprises in natural research, was open to meet anything that seemed real. I had to be convinced myself first. Most people try to obtain consent of their impressions before having been convinced themselves. I had long since given up hope to convince anyone steeped in present-day mechanics or mysticism. There were no authorities. There was no one to whom to report this observation.

"(In May 1954, the assault by the American drug business had just begun to bother us a few weeks before.) We were still laboring at an understanding of what had happened in early 1951 when Oranur had burst into our lives; we were still trying to dig out humanly, emotionally and scientifically from under the avalanche of new observations, facts, ideas which Oranur had thrown in our way. I knew, we had without intending it, drilled a hole, as it were, into the wall which had for millennia separated man from the universe around him. We were hard pressed in our attempt to survive the flood of events in good form. A U. S. court of law had issued an order on March 19th, 1954 to stop all OR research activities including

publication. We thus had to face the flood of incredible new facts, our own emotional and physical misery and the assault by the American and Russian mechanistic mind. It all tied in with our basic research neatly as one single fact: **EARTH MEN HAD ENCOUNTERED SPACE AS IT REALLY WAS; not as science had conceived of it heretofore.**"

II. Survey of the Development of the Cosmic Event

Discovery of Orgastic Convulsion in 1923-1926;

Application of Knowledge of Orgastic Convulsion in **CHARACTER ANALYSIS**, 1927-1933;

Application of the Same Principle in Human Physiology and the Cancer Shrinking Biopathy, 1934-1945; in Physics and Astrophysics and in the Oranur Experiment, 1946-1956.

Orgastic Plasma Convulsion

The discovery of the orgastic convulsion at the climax of natural mating opened up a vast field of new human knowledge. In 1923, the discovery was made of the function of "orgastic potency" or orgastic convulsion. A basic principle of life was uncovered by careful study of human experience in natural mating. The physiological function of "*orgastic potency*" was the red thread guiding Orgonomic basic research ever since 1923 in the pathology of human character development.

(**CHARACTER ANALYSIS**, three editions, under decree of injunction, first published *10 years before* the discovery of the Cosmic Life Energy.)

The function of the orgasmic convulsion was, after completion of the studies of human character development in 1933, further applied in human physiology as a central problem of human psycho-somatic pathology: *Biopathies*. The cancer disease was adopted as a biopathic object of experimentation on the basis of the functions involved in orgasmic convulsion. The result of this application of the principle of "*orgasmic potency*" and the natural function of orgasmic convulsion was conducted in cancer pathology from about 1934, beginning in Norway, and ending 1945 in the U. S. A.

It was, as a matter of fact, not the cancer disease itself, but the *life functions* and their disturbances entailed in this disease which prompted me to test experimentally the validity and usefulness of the natural function of orgasmic potency in the cancer disease, especially in connection with the problem in what manner alive mobile cancer cells develop within the human organism; they cannot be found in the air. The result was a report written and published in successive parts between 1939 and 1947 and compiled in a book, "THE CANCER BIOPATHY." It was published in 1948. It was fiercely fought ever since by some American drug industries.

"The Cancer Biopathy" did not promise any cancer cures. On the contrary, ever since the beginning of cancer experimentation, careful avoidance of proclamation of any cures and strict adherence to the principle of reporting failure as well as success was due to a crucial discovery in the realm of cancer pathology.

Cancer Shrinking Biopathy

It was found through experimentation with the life energy discovered in the so-called "bions" or "energy vesicles" in living tissue around 1938: *The cancer disease is due to severe bio-energetic resignation with consequent shrinking in the living organism.* The result of this disturbance of energetic metabolism in living tissue is gradual loss of energy, succeeded by loss of substance and vitality, and finally a process of shrinking of the total system, known but not understood heretofore as "*cachexia*" in routine pathology. In other words, "The Cancer Biopathy" stated that the local cancer tumor, the only object until then of cancer treatment, was only a by-product of a general *plasmatic shrinking biopathy*. It develops in the human organism from emotional *resignation* due to chronic frustration of natural genital love life from childhood through adolescence.

This was a major conclusion in human pathology. It threatened at once the continued existence of industries and medical practices based on the old concept. As was to be expected, they were interested in the continuation of ignorance of the true background of the cancer disease. They proceeded, accordingly, to kill the discovery. "The Cancer Biopathy" was condemned as "promotion of fraudulent cancer cures" by highly placed commercial and political conspirators, and, following them innocently, I assume, a chemist Smyth of the Pharmaceutic Council of the American Medical Assn. (1948), a department of the Consumers Union, under influence of the original instigator, Brady, and finally the food and drug agency.

No cancer or other medical experimentation with orgone energy was done any longer after about 1946.

The Oranur Experiment

I shifted my laboratory facilities in New York and at Oranur, Maine, completely over to basic experimentation in the physical realm of the Cosmic Energy. The result of this experimentation, to make it brief, was the discovery: *Space is not empty*. Highly evacuated, airless tubes can be charged by cosmic energy and be made to luminate upon certain irritation. This discovery shattered the notion of an empty space. It established the universal existence of the Cosmic Energy discovered by me. I had hit upon the fundamental Law of Nature. In the spring of 1950, I gave up all activities in New York, including rich income from teaching, and established permanent work in Maine.

When the Korean War came down upon us later in 1950, I rearranged my laboratory again to be ready to help in the war effort, if requested. I published the "First Oranur Report" on the experimental work done in physics between 1946 and 1951: "*The Oranur Experiment*." It was received with great interest and some appreciation by dozens of top agencies in the U. S. Government, in the U. S. civic administration and in civilian U. S. agencies; also abroad. A list of these recipients of literature is enclosed in the volume "Conspiracy," No. 41 of which was and still is in the hands of the FDA counsel.

The First Oranur Experiment Report was the acute object of a dangerous international conspiracy and of espionage activities directed from Moscow. The conspiracy was directed to steal this discovery for the U. S. S. R. and to kill it in the United States. (See "Table of Events" on public court record (R. 41-46) and Appendix to Appeal Brief of WR of October, 1956, especially "*Historical Record of Information Given Regarding Oranur*." p. 35r).

My strenuous efforts to effectuate the recognition by the U. S. Government of the national and international impact of the Oranur Experiment was not immediately met with success due to the very same conspiratorial espionage activities.

III. Reinstatement of certain enjoined activities due to civic responsibilities after the repetition of the Cosmic Event of October 10, 1954

Establishment of the desert research project, on official court record all through the trial and in Parts of Record to be Printed in Appendix to Appellants' Briefs, (Reich Brief 5r) submitted September 10, 1956, to Clerk, U. S. Court of Appeals for the First Circuit, "Group D—Suppressed and Top Secret Evidence, Referred to on Trial Records as 'OROP Desert Ea' and as 'Espionage'."

The cosmic event of May 12, 1954, was carefully investigated all through the summer of 1954. The decision was reached to repeat the experimental observation. Finally, October 10, 1954, was designated as the day of the second test.

Also, all during the summer of 1954, work was being done on the Archives of the Orgone Institute to establish as accurately as possible the extent to which the Russian espionage system in the United States had succeeded in collusion with U. S. Government employees and single treacherous individuals planted in high places in American civil organizations to obtain information from and at the same time to destroy and discredit orgonomic research in the United States.

The first result of these research activities during the summer of 1954 was the compilation, printing and distribution of a volume of the series, "History of the Discovery

of the Life Energy," entitled "*Conspiracy*," with the subtitle "An Emotional Chain Reaction." This compilation contained only original documentary material beginning early 1942 and carrying through 1954. The original documents were numbered in succession and a summarizing "Table of Events" was compiled and added. Copies of this volume were distributed, partially gratis, and partially for recompensation among prominent organizations and personalities of the U. S. A.

A complete set of the impounded literature was sent to the District Court in Portland, Maine, specifically to Judge Clifford in February, 1954. One volume of "*Conspiracy*" in a black binder was sent to Judge Clifford for information and confirmation of a "Response" sent on February 25, 1954. The "Response" (Petitioners' Ex. 5, R. 85, 336) informed the court that a *conspiracy* existed and *secret research work* was at stake. The authentic documentary volume completed this information. The volume was sent to the court openly; it was fully accessible to the acting United States Attorney, Peter Mills. A volume, No. 41, was sent in September 1954 to the U. S. Department of Health and Welfare.

Now, the two lines of activities at Orgonon merged on October 9, 1954:

The experimental work on UFO's was crucial, pressing and evoked a sense of social responsibility strong enough to force a decision: A letter to Judge Clifford was sent through the Clerk of the Foundation, William Moise. This letter, dated October 9, 1954 (contained in suppressed Record Appendix Vol. III, p. 43), informed the court as follows:

October 9th 1954

COPY

To the United States District Court
Portland, Maine

We wish to inform your good offices that, in the course of October 1954, the Orgone Institute Press will resume its normal function of filling orders for books in the realm of natural science and orgonomic medicine. This decision was made when it was ascertained, beyond any reasonable doubt, that the injunction of March 19th, 1954 was pursued and obtained in a criminal manner by Moscow-directed, American conspirators. We are sending, for your files, a volume of the History of the Discovery of the Life Energy which the Orgone Institute is sending out in connection with this fact.

It was felt that the District Court in Portland should be informed on this step. Should the District Court in Portland have any objection to the resumption of the normal scientific activities of the Orgone Institute and its affiliate organizations, information to this effect would be appreciated.

It is out of deep respect for the basic principles of truth and justice, in whose behalf American Courts are functioning, that the Orgone Institute is proceeding to fulfill its scientific and medical duties.

Sincerely yours,

/s/ William Moise

William Moise,
Oranur Weather Control Operator
On order from the ORGONE INSTITUTE
On behalf of the Orgone Institute Press

Sent: Vol. History of the Discovery of the Life Energy,
CORE Vol. VI, Nos. 1-4

cc: Office of the President of the USA.
Mrs. Hobby, Secretary of the Department of Health,
Education, and Welfare
Commander, Air Technical Intelligence Center, Air
Force
J. Edgar Hoover, Director, Federal Bureau of
Investigation

Thus, conspiracy and object of conspiracy were united
in one formation and remained united until the present day.

The injunction had so far put a stop to our work. It
had greatly reduced our financial resources to pursue our
civic responsibilities and research activities.

Agents of the drug agency of the U. S. Government had
deceived the acting judge at the trial. The fact was con-
cealed that until October 10, 1954 no literature was being
distributed. On October 10, 1954, only the distribution of
the literature was resumed, for reasons of information and
for financial resources.

*No orgone energy devices were to my knowledge ever
shipped after October 10, 1954, in interstate commerce,
with the exception of the transfer of the accumulators from
Rangeley to New York by Dr. Silvert to his own address
and not to any customers; a transfer which was accom-
plished without my knowledge or consent (Appeal Brief
for Dr. Michael Silvert, p. 13).*

The decision to resume distribution of literature was
thus made in the performance of civic duties to remove
the obstacle which obstructed our work on which depended
the future fate of the planet. The second test of the effects
of the space gun upon Unidentified Flying Objects (Ea's
in our terms) was performed after careful preparation on

the evening following the date when the letter of October 9, 1954, was sent to Judge Clifford. Operations with orgone energy or cosmic energy which, according to the civil complaint of February 10, 1954, "*did not exist*," succeeded once more: For the second time "stars" were dimmed, stopped luminating and moved as if in flight in different directions. They were space machines.

There was no doubt whatsoever after this second experience that our cosmic energy research was on the right track. It was standing up to the most exacting techniques of control and testing. The cosmic event was reported to the Air Force Technical Intelligence by one of the operators, William Moise, the Clerk of the Foundation, on his way to Arizona in Dayton, Ohio, on October 14, 1954. at 4:00 p.m.

(See "The Second Oranur Report." FIRST CONTACT WITH OUTER SPACE, p. 78.)

For further information, reference is made to this volume.

We must return now to the interlacing of our further Cosmic Ea research with the continued attempts on the part of the drug agents and their conspiratorial consorts in and out of the American Government.

It is necessary to emphasize the interlacing of research work and conspiracy. The legal representative of the FDA deceived the Court of Appeals as he had previously deceived the District Court judges. He argued in his rebound Brief for Appellee to the Court of Appeals on November 5, 1956, to quote verbatim (p. 5):

"References to 'conspiracy' are threaded throughout the record and briefs as well as references of the appellants to some *nebulous super secrets involving*, among

others, 'Invasion from Outer Space' (Reich Brief 32) to mention but one such *immaterial subject*." (Italics by Reich.)

The representative of the FDA wrote this sentence into a response to the Court of Appeals, while their accomplices were trying to intrude and to obtain information on exactly the very same "nebulous" and "immaterial super secrets": OROP DESERT Ea.

The FBI was continuously kept informed on the illegal intrusions and the harassment by espionage agents during the summer months of 1955 and 1956. The bulk of that sequence of events is beyond my domain.

IV. THE FRAUD

The complainant, or whoever directed his activities, had deceived and misled the District Court so completely and thoroughly that it took several years of careful research to understand how such continued deceit could have been so successful heretofore at all. A simple inspection of quotations from the literature in the original complaint and comparison with the original text shows the fraud (see R. 409 and especially R. 436, 437, 438 compared with Petitioners' Ex. 5, R. 95-104, 336).

An Example of Deceit of Court

(From Brief for Appellee, Court of Appeals, No. 5160, p. 4—Italic lines by WR.)

"In the brief of the appellant The Wilhelm Reich Foundation we understand its argument to be that the District Court *erred during the contempt proceeding in refusing to hear evidence showing that the injunction was obtained by fraud and suppression of evidence. We find no motion by this appellant to dismiss the amended complaint on these grounds. We nevertheless discuss the proposition since appellant, Reich, adopts the point in his Statement of Questions Involved (Reich Brief 1). Initially, it must be stated that there is not the slightest indication in the record, other than appellants' unsupported allegations, of any such actions on the part of the Government. There is no foundation whatsoever for these serious charges. Moreover, there is nothing in the record to show that the appellants ever offered any proof, or indicated what the proof would be, to sustain these charges.*

"We have scrutinized the record, in an attempt to understand the basis for the error charged to the District Court of preventing a showing that the injunction decree *was obtained by fraud and suppression of evidence. Further we searched to learn where the claimed fraud lay, what evidence was suppressed, and at what stage of the proceedings the alleged suppression occurred.*"

Here, the opponent deceived the Court in the open. He could rely on the reluctance of the Court to really believe that anyone would dare to deceive so grossly and so openly right into the face of acting judges.*

* See also legal summary on fraud in Appendix, p. 27a.

DECEIT NO. 1: "We find no motion by this appellant to dismiss the complaint on these grounds."

RECORD: On October 18th, 1955, in chambers of District Court Judge Clifford, in the presence of Maguire, U. S. Attorney Peter Mills, Counsel Charles Haydon and the Court Clerk Poole, I told the judge that the nature of procedures heretofore made it doubtful that Maguire was a bona fide U. S. Government agent.

On the same day, at the following public hearing, I charged fraud perpetrated upon the court in the form of "misrepresentation of facts" (R. 502). The motion was postponed by Judge Clifford.

Specifically, I moved in a subsequent written "*motion to dismiss the amended information on the grounds of illegal misrepresentation of facts*" (R. 500) on October 24th, 1955. The motion was made in preparation of the presentation of these motions in oral argument at the hearing scheduled by Judge Clifford for November 4th, 1955 (R. 505, 506).

The hearing on November 4th, 1955, was devoted in its entirety to these motions *to dismiss the information on the grounds of "fraud perpetrated upon the Court."* The opponent "was not listening to Dr. Reich while he was talking." (R. 506, bottom.) Maybe this gentleman never listened all through these proceedings when Fraud, Conspiracy and Perjury charges were brought forth . . . The motions were denied in open court hearing, although espionage was specifically charged at the same hearing (R. 504ff, 519).

DECEIT NO. 2: ". . . there is not the slightest indication in the record, other than appellant's unsupported allegations, of any such actions (fraud) on the part of the Government."

RECORD: Here, the mastermind has washed our brain, figuratively speaking, by "double-talk" and "double-think" ("1984" by Orwell) in order to deceive. He conceals at this point before the Court the fact that these motions were denied that same day and that, accordingly, the allegations *are on record as charges* in the above-quoted motions *themselves*. This fact was deliberately concealed in order to mislead the Appellate Court again. (Petitioner's Ex. 5, R. 96-104, 336, "*Atoms for Peace vs. the Hig*," Documentary Appendix.)

DECEIT NO. 3: "Moreover, there is nothing in the record to show that the appellants ever offered any proof, or indicated what the proof would be, to sustain these charges.

"We have scrutinized the record in an attempt to understand the basis for the error charged to the District Court of preventing a showing that the injunction decree was obtained by fraud and suppression of evidence. Further, we searched to learn where the claimed fraud lay, what evidence was suppressed, and at what stage of the proceedings the alleged suppression occurred."

RECORD: This sentence demonstrates the **monstrosity of the deceit** before the Court. The monstrous bigness of the deceit is the **very factor** that prevents its detection since no one would believe that such open deception before courts is possible.

The proof of these allegations looms large all through Record Appendices: Vol. I of the evidence for the defense admitted in court at the trial, Petitioners' Ex. 4, R. 1-62, 336, "The Red Thread of a Conspiracy," and Petitioners' Ex. 5, R. 63-104, 336, "Atoms for Peace vs. the Hig"; also in the Appendix to Petitioners' Ex. 5, R. 95, *et seq.*

We quote here verbatim the charge of fraud brought forth in this evidence, Exhibit 5 for the defense, R. 102-104:

APPENDIX TO FACTUAL PRESENTATION

Compiled by WILLIAM MOISE, Secretary,
EPPD, OROP DESERT EA

The Food and Drug Administration *misrepresented the following* publications as dealing with the "cure", "mitigation", "prevention of the disease conditions and symptoms hereinafter enumerated . . . which constitute labeling" (Civil Action 1056) . . . ; while at the same time the FDA concealed from the court the *factually true content* of the publications:

PUBLICATION

1. THE SEXUAL REVOLUTION, by Wilhelm Reich, M.D.

True is the fact that CANCER *does not appear at all* in either content or index; the fact is that this book was written long before the discovery of the Orgone.

Not True is the FDA allegation that this work deals with the cure, mitigation, prevention, or treatment of CANCER.

Concealed from the court by the FDA is the fact that the true content of this book is on the failure of the Russian experiment in establishing sexual reforms, due to human structural incapacity for freedom.

2. THE MASS PSYCHOLOGY OF FASCISM,
by Wilhelm Reich, M.D.

True is the fact that CANCER does not appear at all in either content or index; the fact is that this book, too, was written years before the discovery of the Orgone.

Not True is the allegation by the FDA that this book is about the cure, mitigation, prevention and treatment of CANCER.

Concealed from the court by the FDA is the fact that the true content of this work describes how all forms of irrationality in politics (Red and Black Fascism used as examples) are derived basically from combined structural irrationality of human masses; that this book is an important text for present political psychology (in the libraries of the U. S. State Department and Central Intelligence Agency); that this book was ordered destroyed and burned by Hitler.

3. CHARACTER ANALYSIS, by Wilhelm Reich, M.D.

True is the fact that CANCER does not appear in the index, chapter headings, or outlines; that "cancer tumor" cannot be found in the contents.

Untrue is the claim that this book is about the cure, prevention, mitigation, or prevention of CANCER TUMORS.

Concealed was the fact that this work is a basic textbook in psychiatry, detailing the character-analytic technique of the discoverer from its beginnings in psychology to its present firm basis in natural science in the form of orgone biophysics.

4. COSMIC SUPERIMPOSITION, by Wilhelm Reich, M.D.

True is that CANCER, COMMON COLD, ICHTHYOSIS, RHEUMATIC FEVER, HYPERTENSION, OF DIABETES appear not at all in either content or index of this work.

Untrue is the presentation by the FDA that this work is concerned with the cure, mitigation, treatment, or prevention of CANCER, COMMON COLD, ICHTHYOSIS, RHEUMATIC FEVER, HYPERTENSION, DIABETES.

Concealed, the fact that this work deals with hurricanes, the shape of the galaxies, and the "ring" of the aurora borealis; that their request for the enjoining of the entire book was solely upon the inclusion of the Bibliography of Works on Orgone Energy at the back of the book.

5. ETHER, GOD AND DEVIL, by Wilhelm Reich, M.D.

*True is that CANCER does not appear in the index or content, with the following one exception, p. 123, Chp. VI, "Concentrated Orgone Energy has many beneficial effects on living organisms which I have tried to describe in my CANCER BIOPATHY * * *"*

Not True is the allegation that this book deals with the cure, mitigation, prevention, or treatment of CANCER.

Concealed again is the factual content of this work: the description of how the process of functionalism led to the discovery of Orgone Energy (Ether) through objective logic of the thought process; how humanity until this, had evaded discovery through various erroneous thought systems: mysticism, mechanism, etc. * * *

6. THE MURDER OF CHRIST, by Wilhelm Reich, M.D.

True is that CANCER appears not at all in index or content.

Not True is the claim that this work constitutes a claim of cure, mitigation, treatment, and prevention of CANCER.

Concealed again from the court is the true content: The Murder of Christ which is the Murder of Life through the ages by and in each of us through the Emotional Plague.

7. PEOPLE IN TROUBLE, by Wilhelm Reich, M.D.

True is that this work is a translation of the original German manuscript "Menschen im Staat" (1936-7), translated in 1947; that on page 123 of the Appendix the discoverer writes of, "The new set of problems grouped around the natural functions of endogenous infection and decay * * *", "The cancer process is a long-drawn-out process of decay within the human organism due to the bioenergetic shrinking of the life system."

Not True is the opinion that this book constitutes a claim of cure, mitigation, treatment, of CANCER.

Not True is the opinion by the FDA that "Blood" or "Tissue" is a "disease", a "disease condition" or a "symptom"; that this book states them as such; that this book constitutes a claim of cure, treatment etc. * * *

Concealed, that this work is a historical document of the discoverer's experiences in the socialist and psychoanalytic movement of 25 years ago, between 1927 and 1937.

(signed) WILLIAM MOISE

The opponent here used the "BIG LIE" technique. This Exhibit (5) evidence was admitted at the trial (R. 336). It could not be brought directly into the trial record because it showed the fraud, and my attempts of proving fraud ("WHY" or *Motives* of my attitude to injunction) were ruled out by Judge Sweeney.

At the hearing before the Appellate Court for the First Circuit on November 5, 1956, I brought forth in oral argument the charge of perjury against Joseph Maguire and

Peter Mills in my reply to their reply argument. I had hesitated until then bringing forth this grave charge. When in his reply to my argument he continued to slander me financially, and proved once more that he was completely devoid of any sense of truth or decency, it would have been unwarranted to further adhere to restraint and good breeding, or to further hesitate from medical consideration to tell the truth about a man of such character.

"Joseph L. Maguire and Peter Mills have both committed perjury in addition to previous fraudulent deceit of U. S. Courts on the witness stand at the trial on May 5, 1956. The perjury concerns their knowledge of the content of the documentary compilation 'Conspiracy' (Vol. No. 41) (abstracted in *Record Appendix, Vol. I*, Exhibit No. 4 for the Defense 'The Red Thread of a Conspiracy'). This compilation contains documentary proof of treason against the U. S. A." (Reply Brief, Wilhelm Reich, p. 1).

**The Contradictory Testimony of Joseph Maguire
and Ilse Ollendorff on Vol. 41 of "Conspiracy"**

1. Joseph Maguire denied under oath on the witness stand knowledge of the "Conspiracy" document.

2. Witness Ilse Ollendorff testified that he had been in possession of Vol. No. 41 of "Conspiracy" while interrogating her.

3. Knowing the content of the "Conspiracy," Vol. No. 41, he also knew that he had received it from Secretary of Health, Education and Welfare, Oveta Culp Hobby, to whom it was sent on September 1, 1954, in full reliance on the integrity of the Health Department of the U. S. Government.

4. Joseph Maguire received the Health Department when he used this volume for his own information only, and not as information for the U. S. Public on the matters contained therein.

5. Having had knowledge of Vol. No. 41 of "Conspiracy," the social administrator, Joseph Maguire, knew well the following of its contents, among others:

(a) The documents concerning the Red Fascist conspiracy in the U. S. A., including the attack upon the Discovery of the Life Energy. (See *Record Appendix, Vol. I, "The Red Thread of a Conspiracy."*) Maguire kept silent before the Court.

(b) The people who were involved in the conspiracy.

(c) The search for information on WR's laboratory work and its invasion by tools of an espionage ring operating in the U. S. A.

(d) Information regarding the orgone energy motor and William Washington's involvement, 1948-49.

(R. 333-335. All emphasis by WR.)

JOSEPH MAGUIRE, a witness, having been first duly sworn, was examined and testified as follows:

Direct examination by Dr. Reich:

Dr. Reich: Mr. Maguire, you conducted the case against Orgone for how long,—since when did it begin?

Mr. Maguire: Well, in the first place, I have conducted no case.

Dr. Reich: Well, you have presented it?

Mr. Maguire: I have conducted no case against Orgone, at any time.

Dr. Reich: But you were the lawyer?

Mr. Mills: I object, Your Honor, as entirely irrelevant.

The Court: *I will allow it. I am going to give him a little more latitude than a lawyer would have.*

Dr. Reich: (*Shows book to the witness*) Can you identify this book, please?

Mr. Maguire: **I have never seen this book before.**

Dr. Reich: You say you have never seen this book before. On July 26, you had the same book in your hands, and you quoted from it. Would you kindly read the title of the book?

Mr. Maguire: "Wilhelm Reich, History of the Discovery of Life Energy—1942-1954."

Dr. Reich: Just read the title of the book, *that's all.*

The Court: *Read the title.*

Mr. Maguire: *Well, there is so much on here, I don't know what is the title.*

Dr. Reich: It is right here.

Mr. Maguire: Reading what Dr. Reich has pointed out to me, which is the title, and which is in rather small print, "*Conspiracy and Emotional Chain Reaction.*"

Dr. Reich: Have you ever had that in your hand?

Mr. Maguire: *I have had what might be a similar volume.*

Dr. Reich: *Similar or identical?*

Mr. Maguire: I can't answer that. The way the book is constructed, it is loose leaf and the pages can be withdrawn very readily.

Dr. Reich: Mr. Maguire, may I repeat my question? Did you see that book? Did you ever have it in your hands on July 26—yes or no?

The Court: He said he did not know.

Mr. Maguire: **No.**

The Court: **I can't receive that in evidence.**

Dr. Reich: *Did you ever see this pamphlet?*

Mr. Maguire: I have seen one similar to it.

Dr. Reich: Would you read the title, please?

Mr. Maguire: "Wilhelm Reich, Biographical Material—History of the Discovery of the Life Energy—Documentary Supplement No. 2—*The Red Threat of a Conspiracy.*"

Dr. Reich: Is that known to you?

Mr. Maguire: *Well, I said I have seen something or probably similar to this.*

Dr. Reich: Did you see this pamphlet?

Mr. Maguire: No, I didn't.

Dr. Reich: You never saw this pamphlet?

Mr. Maguire: No, I didn't.

Dr. Reich: The third one—this is the last one. Do you know this one? Here is the title. The same series?

Mr. Maguire: I don't understand what you mean.

Dr. Reich: Did you ever read it or have it in your hands? Are you acquainted with this title? Would you please read it?

Mr. Maguire: Did I have this pamphlet in my hands?

Dr. Reich: Not this one.

Mr. Maguire: I have seen and had one in my hands, I presume.

Dr. Reich: With the same title. Would you read the title?

Mr. Maguire: "Atoms for Peace vs The Hig."

Dr. Reich: Did you read it?

Mr. Maguire: *I think I read that one.*

Dr. Reich: You think you read it?

Mr. Maguire: Yes.

Dr. Reich: I offer this as an Exhibit now.

Mr. Mills: I object. It is irrelevant and immaterial.

The Court: Are these books covered by the Decree?

Mr. Mills: I believe so.

The Court: All right I will admit them.

Mr. Maguire: May I make a statement? That book is not covered by the Decree.

His own witness, Ilse Ollendorff, revealed on the witness stand the identity of the Vol. #41 of "Conspiracy" from which he had quoted during her examination, and which had been sent to the Secretary of Health, Education and Welfare:

(R. 355-358)

ILSE OLLENDORFF, a witness, called by and on behalf of the respondents, first being duly sworn, was examined and testified as follows:

Direct examination by Dr. Reich:

Dr. Reich: Miss Ollendorff, I shall not ask any questions as to identification since we know who you are. *Do you know this volume? (Shows document to witness) (Conspiracy—WR)*

Miss Ollendorff: Yes.

Dr. Reich: Will you tell the jury what that is, please?

Miss Ollendorff: This is a volume of photostated copies of original letters and newspaper clippings that I helped to collect during the time I was an employee of the Foundation. It was collected in a *loose leaf* binder like that.

Dr. Reich: When was that material collected? When was it done, exactly?

Miss Ollendorff: I was there at the time. Part of the material was contained in the files and records that I kept, and it was collected in the present order after the injunction was filed.

Dr. Reich: Will you please tell the jury why this material was collected?

The Court: *I don't think we are interested in why it was collected.*

Dr. Reich: Will you please read the title?

Miss Ollendorff: **Conspiracy and Emotional Chain Reaction."**

Dr. Reich: Will you tell the jury whether you saw this volume here in the hands of Mr. Maguire Tuesday? (May 1, 1956—WR)

Miss Ollendorff: I saw a volume of this material. It was a limited edition, No. 41.

Dr. Reich: Of this volume?

Miss Ollendorff: **Of this material in Mr. Maguire's office on Tuesday.**

The Court: This is of this year?

Miss Ollendorff: Yes, when I was called again to identify some of the material from the bookkeeping records.

Dr. Reich: Will you please tell the jury how it came about that I brought that here?

Miss Ollendorff: You showed me a document, a statement, that I gave as a witness before, and you asked me if I was aware of what this document contained in this volume. I said I was not sure of it. I knew that I wrote that document but I took your word that it was in this volume because it would be one of the documents that would be contained in this volume.

Dr. Reich: You are quite certain? You are under oath. Are you quite certain that the volume, which you saw in

Mr. Maguire's hands and the volume I show you, are the same series, the same kind?

Miss Ollendorff: It is the same material.

Dr. Reich: Are you aware that Mr. Maguire had denied that?

Mr. Maguire: I certainly object to that. That is absolutely an incorrect statement. May I have the Court Reporter read the testimony back?

The Court: The jury will be the people to decide. The jury has heard your testimony, and now they have heard this testimony, and they will decide it.

Dr. Reich: *May I repeat the question?*

The Court: *You may.*

Dr. Reich: This morning, when Mr. Maguire was on the witness stand, I held up the same volume * * *

The Court: Let me put this question to you. It is your testimony that you saw that in the hands of Mr. Maguire, and whether it was about some statement of yours that was in there. Do you consider it inconsistent with his testimony this morning?

Miss Ollendorff: I consider it inconsistent and I was disturbed about it.

The Court: All right.

Dr. Reich: I have no more questions.

AFFIDAVIT

October 22, 1956

This certifies, that according to the records of the Orgone Institute Press:

- 1. Copy No. 41 of "Conspiracy — An Emotional Chain Reaction" was sent to Oveta Culp Hobby, Secretary, Department of Health, Education & Welfare, on September 1, 1954.
- 2. Copy No. 52 of the same publication was sent to Nelson D. Rockefeller, Jr., Asst. Secretary, Department of Health, Education & Welfare, on September 2, 1954.

Camille Thruston
 Camille Thruston
 Former Secretary, Orgone Institute Press

Michael Silvert, M.D.
 Michael Silvert, M.D.
 Former Supervisor, Orgone Institute Press

Notarisation:

Sworn to before me this

22nd day of October, 1956

Philip L. ...
 PHILIP L. ...
 Notary Public ...
 Qualified in New York County ...
 Com. Exp. with N. Y. Co. Clk. & Rec. Comm. ...
 Term Expires March 11, 1958

It would be anticlimactic to bring forth more such activities of the counsel for our Health Department. The Court records are full of such examples of pranking somersaults.

The "*Cosmic Event*" of May 12, 1954 and all that preceded and followed this event was excluded from testimony at trial, although it was "*OROP Desert Ea*" which constituted the central object of the conspiracy (Appeal Brief, *WR vs. U. S. A.*, 5160, Summary, pp. 4-20).

The counsel for the complainant again committed fraud when he denied that he has found record of suppressed evidence. The trial records are full of suppression of the crucial evidence, "*OROP DESERT Ea*", i.e., *the planetary emergency in consequence of invasion from outer space.*

(See p. 45 below for statement on Jurisdiction of District Court.)

SPECIAL REASONS FOR ALLOWING THE WRIT

- I. The *PLANETARY EMERGENCY* due to invasion of the earth's atmosphere from outer space, requiring *Orgonomic Basic Research*, is acute and critical.
- II. The *injunction* against *orgonomy* was obtained by unlawful means in a conspiracy to kill the Discoverer of the *Cosmic Energy* and to usurp his approach to the space problem for the atomic industry. The injunction blocks crucial scientific research and work in an emergency of planetary dimensions.
- III. Security and independence of basic natural science from interference by interests other than learning.

- IV. The Discoverer of the Cosmic Energy respectfully requests the privilege to be heard in oral argument for further elaboration of the planetary emergency, which is being furthered by the unlawful injunction.
- V. Reasons I-IV for allowing the Writ require the ultimate decision on important questions of federal law not yet settled by the Supreme Court.

ARGUMENT I

The Decision of the Court of Appeals

The opinion of the Appellate Court, rendered by Justice Woodbury:

1. has decided an important question of federal law which has not been, but should be settled by this Court;
2. has decided a federal question in a way in conflict with applicable decisions of this Court;
3. has so far departed from the accepted and usual course of judicial proceedings, or so far sanctioned such a departure by a lower court, as to call for an exercise of this Court's power of supervision.

(Revised Rules of the Supreme Court of the U. S. A.
Part V, Jurisdiction on Writ of Certiorari, Section
19, 1 (b).)

Summary of Trial Errors submitted to Circuit Court of Appeals:

1. *No legal precedent.*

2. *Evidence for defense submerged in secrecy, kept from view of the Jury and the acting Judge.*
3. *The fact that the trial court did not permit testimony as to the motives, the "WHY" in this case is an error by the trial court and constitutes a legal basis for reversing the decision of the trial court.*

Ten Principles of Truthful Conduct

The following Ten Principles of Truthful Conduct in Both Basic Research and Jurisprudence were submitted to the Court of Appeals:

1. Battles for Truthful Procedure are lawful battles.
2. Juries must render their verdicts fully informed.
3. There are no authorities on new knowledge, that is, "Knowledge of the Future." The only authority is the rule of learning.
4. Government must not interfere with basic research.
5. Scientific literature must not be ever impounded or burned anywhere on this planet. (It was done in the U.S.A. by the FDA, August 1956.)
6. Non-appearance in Court as self-defense against fraudulent complaints is a lawful means to avoid legal entrapment by master connivers.
7. *Bona fide scientists must not be dragged into Court to be harassed to death by competitive commercial or political interests (R. 503).*
8. Disclosure of scientific information, especially if secret, must not be forced by Court action or by adminis-

trative invasion of property and records. There are peaceful ways via conference and agreement.

9. New knowledge requires new administrative laws.

10. Judicial errors must be realized and corrected. They must not be perpetuated (Brief on Appeal for Wilhelm Reich, No. 5160, pp. 1-2).

The following principles were presented, among others, in argument:

Common Principles of Basic Natural Science and Jurisprudence

“The following is a self-evident truth in natural science and its derivative, the judicial common law: *Results obtained by unlawful means are themselves unlawful*, invalid in the technical sense of jurisdiction. The legal profession adheres to these basic self-evident principles of all jurisdiction, since it does not wish to forsake the very foundations of the administration of justice. Conscious, systematic deviation from this principle constitutes the ‘shyster,’ defined in Webster’s dictionary and in the Encyclopedia Britannica as the ‘pettifogging lawyer.’ (Reich in Brief for Michael Silvert, p. 10 and Reply Brief for Reich, ‘Principles Involved,’ p. 1a *et seq.*)

“*On Procedure and Law:* If procedure is so designed that it kills truth and fact, then procedure, and not factual truth, must yield to revision.

“If law is practiced in such a manner that quite obviously to everyone, the guilty one goes free and the innocent and decent one faces imprisonment, then the law practice must be changed as quickly and as radically as possible.

“These are the ABC’s of justice, obvious a priori.”

"On Responsibility of Science and Medicine: It is the duty of courts of justice to guard over the dignity of the court and against the abuse of privileges of freedom of action and speech. However, scientists and medical men in high position have the terse duty to watch over the independence of scientific inquiry into the laws of nature from any interference whatsoever, especially from ignorance, arrogance, prejudice, political or commercial interests. Science meets with jurisprudence at the very roots of man's existence in fact, reason and functional logic. Let us not, however, neglect those common roots. We have painfully learned what replacement of such principles by arbitrary interference has done to destroy security and human happiness.

"On Security of Natural Science: It is crucial to demonstrate the principle of security of basic research. The very security of Natural Science is in question." (Appeal Brief for WR, p. 49)

The only way that was open to the petitioner to blunt and avert the assault in the original complaint was information to acting Judge Clifford in the "Response" (Petitioners' Ex. 5, R. 85-89, 336) and non-appearance in court. This necessity, to avoid disaster, was explained in District Court hearing before Judge Clifford and in Court of Appeals.

The Court of Appeals ruled against these basic principles involved in the test case. The question involved here is specifically *whether scientists and medical men in high position have the terse duty to guard the independence of scientific inquiry into the laws of nature against any interference whatsoever, especially from ignorance, prejudice, political and commercial interests.*

The test as to the legal urgency of such principles is now brought before the Supreme justices of the U. S. A. Human lives are staked on the answer to this question.

ARGUMENT II

Consequences of Decision of Court of Appeals

The decision in Appellate Court established the following LEGAL PRECEDENT, should it not be reversed by the U. S. Supreme Court:

1. *Fraud is lawful procedure in government to enforce unlawful orders.*

2. *Single federal judges have the power to issue unlawful orders obtained by fraudulent presentations and distortions of facts. Single men, subject to human error as anybody else, functioning judges on the bench, may make up crimes as they please; they may mete out such punishment as ideological whim, political dependence, ignorance in certain matters or irrational prejudice may motivate.*

3. *The judge may keep pertinent facts from the jury in disregard of the Constitution of the U. S. A. The concepts of "due process of law" in criminal cases "have always meant at least two basic things (1) There must be a law enacted by the proper legislature defining the crime, and (2) the right of trial by jury has always meant that no judge had control over the facts of the case, which are the sole province of the jury." (Quotation from an unnamed prominent Washington lawyer, U. S. News and World Report, December 28, 1956.)*

4. *Basic civic functions are imperiled by permanent injunctions based on fraud. The doors are opened wide for*

any action that any federal district court may choose to take without any regard to any law; such as issuing a general injunction, telling everybody that no one can do anything contrary to the decree.

Article III (Appendix, 10a) is express and clear: United States courts may act only under laws of Congress granting jurisdiction. The jurisdiction of the district courts is completely subject to congressional action and such courts may even be abolished by Congress at any time.

In the case before the Supreme Court, the essential substance of the legal case is without legal precedent; the factual substance is not on the congressional statute books and the court order was thus without basis in congressional legislation: *Planetary Emergency due to Invasion from Outer Space is unknown to present Law.*

5. Such "dragnet" injunctions would include anyone in the U. S. A., and, through the person being under court order, anyone who has any connection with this person. For example, to talk about or work with Cosmic Orgone Energy in connection with problems of outer space; to construct cosmic energy research tools, would be subject to contempt action by any Federal Court anywhere in the U. S. A. and throughout its realm of influential power.

6. Such unconstitutional injunctions would endanger the existence of anyone who acted as a physician in accordance with his medical conscience and duty.

7. It would threaten to jail any publisher here or abroad who, in performance of civic duties, would print such enjoined literature of science, as "Character Analysis,"

"Mass Psychology of Fascism," "The Oranur Experiment," "Ether, God and Devil" for general reading, or would touch upon the Oranur Space Problem.

8. *A single judge's personal opinion regarding cosmic or any other pioneer work would be considered "THE LAW" of the land.*

Anyone would be threatened by such unlawful procedures to be seized and jailed, as is the lawless practice in dictatorships. One might well ask, in accordance with the Washington lawyer "Publius" (pseudonym) (see *U. S. News and World Report* of December 28, 1956):

"The Fifth and Sixth Amendments provide: 'No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury.'

"1. Where is the statute, constitutionally passed by Congress, which defines the crime of which one stands accused?

"2. Where is the statute, constitutionally passed by Congress, which gives any court jurisdiction over anyone and everyone who he thinks might disagree with his decrees?

"3. Where is the presentment or indictment by a grand jury accusing * * * of violating *what* law?

"4. What are the limits of this power? If a judge, without law, can sentence one man to 30 days in jail, can he also hang him?

"5. If the courts can create such jurisdiction and powers for themselves, what other powers may they assume?"

These questions concern in a clear-cut manner the danger of development of a dictatorship in the U. S. A.

The Supreme Court "has supervisory jurisdiction over the proceedings of the federal courts. If it has any duty to perform in this regard, it is to see that the waters of justice are not polluted." (Chief Justice Warren in *Stephen Mesarosh v. U. S. A.*, U. S. 77 S. Ct. 1, No. 20, October Term, 1956.)

If ever the waters of justice have been polluted, it was in this case.

The Discoverer puts to *TEST* before the supreme judicial body of our land the question:

Jurisdiction of the District Court

The court in first instance had no jurisdiction, since fraud perpetrated upon the court vitiates the jurisdiction. It must be considered and decided upon before further steps are taken. This was not the case in District Court when my "*Response*" was submitted. The injunction was issued without inquiry into the charge of Conspiracy contained in the "*Response*."

What was in this test case more important to a responsible citizenry, its society and judicial system:

- a. *Mechanical obedience to an unlawful, unconstitutional order obtained by subversion and fraud,*

OR

- b. *Functioning in order to act in a grave emergency on our planet?*

The decisions in the courts below are warrants to federal agents and officials to perpetrate fraud and deceit in the name of the United States of America upon District

Courts for the purpose of achieving unlawfully private commercial or political ends through injunctions in civil cases.

The Court of Appeals has held that officers and agents of the Federal Food and Drug Administration could procure a valid and enforceable injunction against Basic Research in this Realm of Primordial Cosmic Energy, Crucial to Research in the realm of Unidentified Flying Objects in the Atmosphere of Our Planet; this was done in the name of the United States, by the perpetration of a fraud upon a United States District Court.

It held further that the District Court did not err when it prevented those afflicted by the fraud from showing it to a jury which tried them for contempt.

The Court of Appeals has thus decided a question of federal law which has not been, but should be, settled by the Supreme Court.

The manner in which the Court of Appeals decided the question gives judicial approval to fraud and is so far a departure from the accepted and usual course of judicial proceedings, and is a sanction of such a departure by the District Court, as to call for the exercise of the Supreme Court's power of supervision.

THE CHARACTEROLOGICAL ERROR:**Neglect of Irrational Motivation of Crime and Judgment in this Case**

Masters in deceitful litigation do not know or respect truth and fact. They believe that being smart is the same as being just.

The true assailant, the mastermind, in the legal action remained well hidden in the background. He used—and abused—emotionally sick individuals: Peeping Toms, persons offended personally by my disclosures about the “Little Man” (book enjoined and banned as “labeling” of “fraudulent” medical devices), phallic-sadistic-homosexuals who expressed their admiration for me and their wish to be treated by me as they would in my medical office: by assault with a knife, by sadistic derision, slander, or—as a schizoid character—by actual attempt to murder me. These examples may suffice to disclose *some of the pathology* in the background; passive-homosexuals, submitting to the phallic character, the mastermind in conniving.

My authority to state such characteristics of the assailants will scarcely be challenged by those who know my “Character Analysis.” Only a mechanistic neurologist who remained sitting on the spot where pathology was 60 years ago will challenge my contentions; the assailant has no right to challenge it after having slandered my good name all over the place.

Distinction between government official in official function and in the bio-psychiatric medical office is of crucial importance to do justice in any legal case.

As long as my medical work on human nature had been confined to individual treatment of emotional disturbances in seclusion, I was only exposed to individual attack by those treated.

-) But, when I gave up individual work and turned of necessity to work on the *prevention* of mental and emotional disease on the social scene around 1930, in other words, when *Social Pathology* and *Social Psychiatry* began to develop, the field of operations changed for the patient, too. Now, not only the individual case, but anyone in public office suffering from emotional disease felt entitled to use his official position or authority against me and my work for personal (*irrational*) reasons.

The legal test problem before the Court is a problem of pathology rather than of Law: The attack upon oronomy was mainly due to irrational fear of disclosure of deep, otherwise well-hidden motivations. This attack only brought to a peak what had been going on for decades.

Based entirely upon the rationalistic concepts of human nature of the 18th and 19th Centuries, today's jurisdiction is, in the procedural-legal sense, unaware of *irrational motivation*. Motivation of human action was a mystery of transcendental origin in the 18th Century, emerging from the Reformation with a remnant from the Middle Ages.

Motivation was thought of as rooted in mechanical reflexes and impulses of the brain in the 19th Century, newly developing mechanistic materialism. According to this view, the brain acted like a general, giving his orders to the executive nerves and organs below; a truly hierarchie, mechanistic view, in accordance with the period of the Prussian birth of militarism.

In the 20th Century, the discovery of *irrational* and *repressed motivation of human action* replaced or superseded the mechanistic brain-nerves-organ view, still surviving today in mechanistic neurology and chemotherapy. The "mental drugs" of today are the last stragglers of an over-aged mechanistic concept of Life. The brain gives no orders to the organisms, since the living has functioned without brain development for ages, merely by way of autonomic nerves or even mere protoplasm, i.e., by organized Orgone Energy functions. The brain is no more than an advanced central station of better impulse coordination, that's all.

With the fall of mechanistic thinking in physiology and the advance of bio-energetic thinking, *motivation* of human activity entered the scene. "Character" became the term denoting so-called bio-energetic, "structural" motivation, readable in "emotional *expression*."

This now 30 year old knowledge is not on the statute books. Life, however, and the science of life have advanced. The developments in the forms of human love life of the last 25 years have certainly demonstrated the deep bio-energetic changes in human behavior. Of this, many judges have taken *practical, personal and professional* notice; but human behavior and its bio-energetic motivation is not in *judicial-procedural awareness*, as it were. The results of this gap are insolvable legal problems, such as "Juvenile Delinquency." Irrationally based, little understood and therefore legally not manageable, procedures as those which characterized the attack upon Orgonomy by emotionally disturbed individuals in commerce and politics, are the results of the characterological gap in legal application of *Irrational Motivation*.

Without careful study and integration of irrational motivation in legal procedure, nothing can be expected for due process in jurisdiction, in keeping with the advances in human development in this century. Injustice, due to lack of characterological knowledge concerning human irrational nature, must inevitably result. Unprotected; not understood and exposed to slander, irrational hatred of life, fear of bodily sensations, etc., Life is at present severely handicapped in maintaining itself. Still it is the only basic issue that counts, on which all the rest, including jurisprudence, depends.

If the irrational motivation of human activity were included in legal thinking, procedures and statutes, such problems would be much more easily accessible and solvable. The racial problem is bound up and locked in the irrational (Hitlerian) apprehension of the genital embrace between negro and white; this is the emotional, irrational motive in the racial conflict. *Nature* tends to merger of races in every respect; what aims at suppression of primal nature tends to keep segregation and racial hatred going.

There can be little doubt that such catastrophic entanglements of social administration as, for example, in the Clinton, Tennessee, racial segregation case, subterranean pranksters were active to disorganize and prevent orderly, gradual integration of the races in America.

**On Laws Needed for the Protection of
LIFE IN NEWBORNS and of TRUTH**

(From Wilhelm Reich: "The Murder of Christ," 1951,
given to Judge Sweeney on May 7th, 1956;
Reply Brief for Wilhelm Reich, 16a-17a)

A careful study of the realm of social pathology reveals the fact that there exists no law in the U. S. A. which would directly protect factual truth against underhanded lie and attack motivated by irrational interests. Truth is at present at the mercy of chance. It depends entirely on whether a law officer is personally honest or dishonest, emotionally rational or irrational, subjectively inclined toward or against factual functions. It is most difficult to operate as a pioneer in new fields of human endeavor, if any emotionally sick individual anywhere on the social scene can—unhindered—destroy work or knowledge he dislikes, and if truth is in no position to defend itself against underhanded attack. It is obvious that the future of the U. S. A. and the world at large depends on the rational upbringing of the newborns in each generation which will enable them to make rational decisions as grown-ups. (See Wilhelm Reich: *Children of the Future*, OEB,* October, 1951.) There do not exist any laws as yet to protect newborns against harm inflicted upon them by emotionally sick mothers and other sick individuals. However, there are many old laws rendered obsolete long ago by progress in the understanding of the biology of man, which threaten progressive educators with extinction if they transgress technically these old laws. These facts, together with the operation on the social scene of emotionally sick

* Orgone Energy Bulletin.

individuals, block progress and the search for better ways in medicine and education. Although laws which are serving the welfare of people at large can never accomplish factual changes, life affirmative laws can protect those who strive practically for betterment of the fate of humanity. Therefore, two laws, one to protect **Life in Newborns**, and a second to protect **Truth** against underhanded attacks (beyond the scope of libel laws which are not suited for this purpose), should be studied and formulated by legislatures, institutions of learning and foundations whose work is primarily devoted to securing human welfare and happiness.

To illustrate: Truthful and thorough investigation of natural love life in children and adolescents, one of the most crucial tasks in present day mental hygiene, is held up and rendered helpless by the single fact that any biopathic individual who himself has been emotionally warped in childhood or adolescence through frustration of his needs for love, is in a position to put in a complaint to an Attorney General's Office to the effect that those who investigate the subject of love life in childhood and adolescence, and make certain suggestions as to its solution, are committing a crime, the crime of "seduction of minors." If the attorney happens to agree emotionally with the complainant, the investigation of fact is completely at the mercy of chance. There exists, according to rich experience in actual situations, no provision on the statute books to prosecute the biopathic individual on the basis that his motivation is not truth-seeking, or helping children or adolescents, but only hate of such scientific procedures. The motivation of an accusation should always be taken into consideration, just as the motive for a murder is taken into consideration.

This example must suffice to illustrate the situation. The Archives of the Orgone Institute contain enough factual evidence to prove that the situation is bad indeed where pioneering efforts are burdened with the rather hopeless struggle with such irrationalism in addition to the factual difficulties entailed in the pioneering job.

(This is the text of a proposal made to the Congress of the U. S. A. in November, 1952 by The Wilhelm Reich Foundation.)

THE LOGICAL ERROR in the Procedure before the Court

In times of stress and distress such as ours, it is appropriate to look occasionally backward in time while searching forward into the unknown.

The principles of jurisprudence developed from certain common laws of decent, *life-positive* conduct. The same principle which emerged from common laws of decent conduct also gave birth to certain abstractions of human experience. A certain "*natural philosophy*" always precedes and underlies advances in natural science. Critical *religious* thoughts precede religious developments. The Christian religious philosophy grew out of the principles of Judaism through criticism of rigidities in the Jewish common laws which had stifled the movement forward of society as a whole.

By the same token, certain novel trends of pure thinking usually precede and underlie social developments. Buddha's and Confucius' philosophy underlay life in Asiatic countries. Western philosophies in general derive their principles from Locke, Hume, and others in the 18th

Century and from "materialistic," "mechanistic" approaches of the philosophers, beginning with Buechner and leading up to Karl Marx in the 19th Century and the Russian Revolution, 1917. (An abused mechanistic materialism led to the recent mass murder in Hungary (1956).) German idealistic philosophy led to Hegel and the absolute Kaiser-State-Idea. This State Idea plunged the world into the first world war.

It is, most regrettably, unknown that Karl Marx was the first to dissolve a communist organization, the "Kommunisten Bund" in Germany in 1847. Already then a rampant Little Man philosophy of power drunkenness, combined with lack of will to learn, had appeared on the scene, foreshadowing, as it were, the mass murders of the Stalinite-Hitler type one hundred years later.

It has become obvious by now, in the second half of the 20th Century, that all these systems, true and forward driving as they were at their time, have failed to guide our generation along in the present chaos. With the masses of the Eurasian and African continent reaching out without technical or emotional preparedness for the fruits of an advanced technology, most systems of thought failed practically. Until then it was always someone "above" or "in favor of" or "against" the masses of living human beings who did the caring for, suppressing, or feeding or providing "for" people.

For the first time in the history of mankind, partially due to the great technological advances, *the masses THEMSELVES aspire in this 20th Century to rule their own lives.*

Having been deeply immersed in misery over the ages, a "period of written history of some 10 millennia," they want freedom; but they do not know what freedom really is like, how difficult, responsible, exacting at times to hold,

to preserve and to develop. They learned to *die* for freedom or liberties or abstract ideas. Now they die en masse in their own confusions. The *leaders of the confusion* are organized psychopathic individuals in government ("Higs")* who abuse to their own pathological ends the confusion of the past and present in the human multitudes: FASCISM in all its color in political parlance; Organized Emotional Plague in parlance of Bio-Psychiatry.

Now, this over-aged kind of thinking is beginning to go under. The masses are leaderless, without guiding direction, as it were.

WHAT IS THE NEW KIND OF THINKING THAT, EMERGING FROM THE CONFLICTS OF THE PAST, IS BECOMING THE BEACON INTO THE FUTURE?

If we take the present legal conflict as an example of confusion and entanglement instigated by Higs, we may not find the beacon, perhaps, but we may succeed in obtaining some first orientation. Our first steps will be highly theoretical in thinking, but very practical in real life as applied to the test case before the Supreme Court:

The 18th Century thinkers, the founding fathers of the American Law System, devised an abstract system of logical thought which was factless, formal to the extreme, still alive in England, inescapable in its conclusions, according to the following very much simplified form:

PREMISE ONE:	TWO X EQUAL ONE Y
PREMISE TWO:	ONE Z EQUALS ONE Y
<hr style="width: 50%; margin: 0 auto;"/>	
CONCLUSION:	TWO X EQUAL ONE Z

This abstract logical thinking underlies most present-day abstract mathematical logic. The conclusions formed

* Hoodlums In Government.

in this lawful manner are "necessary," i.e., *inescapable* conclusions. They are considered fool-proof, *inevitable*. They underlie our present legal thinking in the western world. They ran into much trouble and conflict with the realities of living social life with the advent of the international labor movement which took hold, in Europe at least, of the less rigid, more "practical" materialistic philosophy, deriving from Buchner and developed toward Karl Marx and Friedrich Engels (1848-1914).

According to the above logic, if two X equal one Z, then it follows that one X equals $\frac{1}{2}$ Z; this is logically perfectly true.

Let us, however, test this truth in living reality. Let us replace the *abstract* symbols, X, Y and Z, by *living* things. Let us put it thus:

PREMISE ONE: TWO HORSES ARE EQUAL TO
PULLING ONE LOADED CARRIAGE

PREMISE TWO: ONE OX IS EQUAL TO PULLING
ONE LOADED CARRIAGE

CONCLUSION: TWO HORSES EQUAL ONE OX (in
pulling one loaded carriage)

This conclusion is logically *and* practically perfectly correct. There will be no conflict in that respect between an abstract logician and the practical driver of the specific carriage, i.e., the *functional logician*.

However, living life has certain specific qualities, called in ORGONOMY "*FUNCTIONAL*," which distinguish life from all other (mechanical) existence and set it apart in natural science, as it were. This can easily be shown by

pursuing the above logical conclusion further as we did with the abstract symbols, X, Y and Z.

ONE X EQUALS ONE-HALF Z

is a correct statement in fact as well as in formal logic.

IF it is true, as it truly is, that two horses are equal to one ox in pulling a loaded carriage, then it must also be true that:

*ONE HORSE IS EQUAL TO ONE-HALF OX IN
PULLING A LOADED CARRIAGE*

This, however, is not so under any circumstances. *One-half ox cannot pull anything whatever; it is dead.*

At this point, the abstract, formal, factless procedure of reaching conclusions established by our 18th Century philosophers breaks down completely, becomes *useless unless it takes into account the practical application of its abstractions and logical procedures in each single concrete living case, each time anew.* What is called "conclusion" in abstract logic is the same as what we called "due process of law" or "legal procedure" in jurisdiction. These procedures are designed, as are the procedures of conclusion in logic, to arrive at the factual truth; to secure "due process"; to avoid error or judicial injustice.

However, it became quite obvious from our demonstration, that the abstract, formalistic, factless, legalistic procedure must lead to illogic, untruth and consequently to gross injustice if it omits the factual, concrete events in real living life. "One-half ox does *NOT EQUAL* one whole horse in pulling a loaded carriage." It is dead as a doornail. The abstract formal deduction has its limi-

tations and becomes false when it omits concrete living facts. Let us now apply this truth to the case, Wilhelm Reich versus the U. S. A., in the formal abstract-legal version, or WILHELM REICH VERSUS THE HIG, in the factual, concrete meaning of the actual case before the court. It is so very obvious: *The FDA is not "The" U. S. Government.* And may our good fate protect us from such identity.

The logical breakdown here looks like this:

PREMISE ONE: DISOBEYAL OF COURT ORDERS
IS A CRIMINAL OFFENSE.

PREMISE TWO: DISOBEYAL OF COURT ORDERS
WAS DONE BY WILHELM REICH.

CONCLUSION: WILHELM REICH HAS COMMIT-
TED A CRIMINAL OFFENSE.

Since criminal offenses are subjected to punishment, WR has to be punished; this according to abstract, formal, legal, logical procedure.

Still, everyone involved in these procedures knew well that Wilhelm Reich had committed no crime, that he was no criminal, that jailing him would be an extreme injustice, that the case should be dismissed. The true "criminals" were those who had instigated the assault upon the discovery of the life energy and had conspired to kill it and its discoverer by fraudulent presentation to the Court. And, finally, WR had done a great service to the nation, to civil rights and principles of science by his resistance to *organized evil*.

The law procedure was obviously entangled in confusion. It was stuck in abstract, factless, unconcrete, me-

chanistic, legalistic thinking. All seemed logical and *just* by way of *abstract formal procedure*. All was so inescapably *unjust* in the face of the living, *factual reality*. Wilhelm Reich is just as little a criminal as half an ox can pull a carriage. And whoever is *no criminal*, whoever is *innocent*, has done his duty as a citizen in defying unlawful orders, should not be jailed. This is the *functional* conclusion from living life.

Where was the limitation of the truthfulness of abstract logics in the case: WILHELM REICH versus THE HIG?

The limitation lay in the *omission of the FACTUAL background* and true factual nature of the legal case; in the mechanistic, illogical, rigid separation of the *facts* of the civil complaint 1056, from the *motives* of the Discoverer not to appear in court; in the elimination of the factual motivating substance of the legal conflict at the trial by the lower court. The logical error rested fully on the failure to apply the legal abstraction in the *concrete* reality of living facts and indivisible processes; shortly, the legal procedure failed to be *functional-factual* in addition to being procedural.

"If procedure is so designed that it kills truth and fact, then procedure, and not factual truth, must yield to revision.

"If law is practiced in such a manner that quite obviously to everyone, the guilty one goes free and the innocent and decent one faces imprisonment, then the law practice must be changed as quickly and as radically as possible.

"These are the ABC's of justice, obvious a priori."
(Appeal Brief for WR, 5160, p. 49)

Can it be that this FUNCTIONAL LOGIC is the searched-for new kind of thinking that may guide us along

in the present chaos? We shall have to apply functional logic to actual social reality in order to tell. And thus we have reached the very substance of our test case:

Is a political mass murderer not a murderer to be routed from human society forever only because he is *formally*, "legally" "posing" as a "statesman"?

Is a "diplomat," acting as a spy, not a traitor only because he is *formally* a "diplomat"?

Is a man a judge because he wears a black robe? Or because he knows right from wrong?

The chain of such factual arguments is endless. Does anyone really expect to guide the world to better conditions of living if touching hot potatoes of truth is further eschewed?

Does not, seen at close range, good breeding, "Bostonian" reluctance to "hurt feelings," or plain "pass-the-buck" philosophy contribute its share to commitments of mass murder? It certainly does.

It is true: *Orders must be obeyed.* But, we must add and never forget: *Orders must themselves be lawful.* Never forget this, lest we go down in history as traitors to mankind. Corrupt thinking has nearly succeeded in destroying our civil liberties; our natural rights; our hopes; the fruits of our toil; the cleanliness of our lives; the right to be bona fide wrong; the mercy toward bona fide error; trust among friends, between parents and children or lovers.

Are orders issued on principles of *untruth*, based on opinions only, not on facts, or *distortion of facts* according to expediency; *falsification of history* in the service of *principled lie*; eradication of integrity as a basic foundation of social law—are these "laws" *LAWFUL laws*? It is on the principle of unprincipled, arbitrary, unlawful orders that all tyranny rests.

**MY CONCLUSION IN THE APPEAL BRIEF
TO THE APPELLATE COURT**

"We must set the principles of truthful conduct against the continued practices of pettifogging deceit in the service of evil and treason.

"We must reiterate the basic principles of decent conduct against deliberate misrepresentation and outright fraud perpetrated on Courts of Justice.

"We must adhere to and never let go of the principle which *declares all judgments and orders null and void which were obtained by fraudulent misrepresentation of facts.* (See Excerpts of Hearing, November 4, 1955, R. 504-527 and Petitioners' Ex. 5, R. 85-104, 336, 'Atoms for Peace vs. the Hig.')

"The case should be dismissed and reopened again to procedures which will guarantee the absence of such deceit."

**ORDERS HAVE TO BE LAWFUL ORDERS, BASED
ON TRUTH AND NOT LIE, ON FACT AND NOT
OPINION.**

Orders have to be lawful to be obeyed, lest the judicial doors be widely open to intrusion of social evil.

This principle is now put to the test of jurisdictional decision within the framework of the American Constitution before the Supreme Court of the U. S. A.

RELIEF SOUGHT

The Writ of Certiorari should be granted.

The decision of the Court of Appeals should be reversed.

Adequate judicial steps in legislation should be taken to prevent such dangerous entanglement of decent hard-working citizens by irrational administrative practices and unlawful orders.

Respectfully submitted,

by WILHELM REICH, M.D.
*Counsel for Discovery of the
Cosmic Life Energy*

Pro se

THE WILHELM REICH FOUNDATION

MICHAEL SILVERT, M.D.
Orgonomic Physician

Pro se

Washington
Jan. 10, 1957

APPENDIX

UNITED STATES COURT OF APPEALS

FOR THE FIRST CIRCUIT

Opinion of the Court

December 11, 1956

WOODBURY, *Circuit Judge*. The United States, on February 10, 1954, filed a complaint under §302(a) of the Federal Food, Drug, and Cosmetic Act, 52 Stat. 1043, 21 U. S. C. §332(a), in the United States District Court for the District of Maine asking for an injunction restraining the Wilhelm Reich Foundation, a Maine corporation, and Wilhelm Reich and Ilse Ollendorff, individuals residing in Rangeley, Maine, from violating §301(a) and (k) of the above Act by either introducing, or causing the introduction into interstate commerce, or, while being held for sale after shipment in interstate commerce doing anything resulting in the misbranding of, certain devices known as "orgone energy accumulators,"* which it was alleged were adulterated within the meaning of §501(c) of the Act and misbranded within the meaning of §502(a) thereof. Service of the complaint and summons was duly made on the defendants on the same day that the complaint was filed.

* In their commonest form these are box-like structures in which the patient sits for treatment. It is asserted by the Government that these devices were being falsely held out to the public at large by the defendants as at least beneficial in the treatment of a great number of human ills ranging from cancer to the common cold.

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The defendants entered no appearances and filed no answers. Indeed, in a letter to the judge of the court below dated February 25, 1954, the defendant, Dr. Wilhelm Reich, indicated unmistakably that he, at least, had no intention of filing either an appearance or an answer. Dr. Reich wrote to the court in part:

“My factual position in the case as well as the world of science of today does not permit me to enter the case against the Food and Drug Administration, since such action would, in my mind, imply admission of the authority of this special branch of the government to pass judgment on primordial, pre-atomic cosmic orgone energy.”

On the day after this letter was written requests for admissions were propounded by the United States and served on each of the defendants. These requests were ignored, and on March 19, 1954, upon request of the United States, the default of each defendant was entered by the clerk of the court below. On the same day the United States moved for default judgment, its motion was granted, and the court immediately entered a decree of injunction as prayed for in the complaint. By the terms of this injunction the named defendants, and “each and all of their officers, agents, servants, employees, * * * and all persons in active concert or participation with them or any of them” were “perpetually enjoined and restrained” from indulging in the practices set out in detail in the complaint. Furthermore all orgone energy accumulators out on a rental basis or otherwise owned or controlled by the defendants were ordered recalled to the defendants' place of business in Rangeley, Maine, and there either

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destroyed or dismantled for salvage under the supervision of employees of the Food and Drug Administration, and in addition all printed labels and order blanks for orgone energy accumulators, and certain listed descriptive literature pertaining thereto, were ordered destroyed.

Certified copies of the decree of injunction were served on the named defendants on March 22, 1954, and at the same time copies were either served or mailed to several other persons in the Rangeley area who were either employees of or contractors for the defendants in the manufacture and distribution of the devices. At the same time copies of the decree were also mailed to a number of duly licensed physicians in the New York, New Jersey, and Philadelphia area, most of whom specialized in psychiatry, who were known to have used orgone energy accumulators in the treatment of their patients. Included in this group was the appellant herein, Dr. Michael Silvert.

On March 30, 1954, the defendant Ise Ollendorff as clerk of the corporate defendant sent a telegram to the United States Attorney for the District of Maine stating:

"The Wilhelm Reich Foundation is far advanced in preparing full compliance with injunction of March 19, 1954 Stop An exact account of measures taken and still in progress will be sent to your office for your information."

No further account of measures taken to comply with the injunction was ever sent to the District Attorney, nor does it appear that in fact any such measures ever were undertaken.

Next, on May 5, 1954, the doctors in the New York-Philadelphia area referred to above, including as we have

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already noted the appellant Dr. Michael Silvert, applied to the court below for leave to intervene. Their application was denied on November 17, 1954, in accordance with an opinion of the court below of that date reported in 17 F.R.D. 96 (1954). This court affirmed on that opinion *sub nom Baker v. United States*, 221 F. 2d 957 (1955).

We turn now to the case before us which was initiated by the United States Attorney for the District of Maine on July 15, 1955, when, acting under §302(b) of the Act, he filed in the court below an information charging the Wilhelm Reich Foundation, Dr. Wilhelm Reich and Dr. Michael Silvert with failing and refusing to obey the injunction of March 19, 1954, and asking for an order to show cause why they should not be adjudged in criminal contempt for their misbehavior. The defendants appeared and filed motions to dismiss, which were denied; the United States moved to amend, its motion was allowed, and the defendants again moved to dismiss and their motions were again denied. They also filed several other motions, all of which were denied, and do not require description or discussion. It will suffice to say that the defendants were given full opportunity for hearing on every occasion.

Eventually, on May 3, 1956, the defendants, in accordance with their request, were put to trial by jury on their pleas of not guilty. They were found guilty by the jury and thereafter sentenced by the court, the corporation to a fine and the individuals to terms of imprisonment. These appeals are from the respective judgments of sentence.

The defendants did not contend below and do not urge here that the injunction of March 19, 1954, had in fact

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been obeyed. On the contrary, they admitted at the trial that no attempt had been made to comply with its terms. Their contention is that the court below had no jurisdiction to issue the injunction. The individual appellants say that they, both individually and acting through the corporate defendant, of which Dr. Reich was the moving and guiding spirit, were engaged in basic scientific research which no agency of the Government had jurisdiction to interfere with or control, and that furthermore and more specifically, the court below had no jurisdiction to issue the injunction for the reason that it had been procured by fraud and deception practiced upon the court by officers and agents of the Food and Drug Administration. In addition Dr. Silvert contends that he is not bound by the injunction because he was not a defendant in the original suit in which it was issued and had not been served with process therein.

None of these contentions have any merit.

We turn first to Dr. Silvert's separate contention. It has been settled law for a long time that one who knowingly aids, abets, assists, or acts in active concert with, a person who has been enjoined in violating an injunction subjects himself to civil as well as criminal proceedings for contempt even though he was not named or served with process in the suit in which the injunction was issued or even served with a copy of the injunction. *In Re Lennon*, 166 U. S. 548, 554 (1897); *Alemite Mfg. Corp. v. Staff*, 42 F. 2d 832 (C. A. 2, 1930) and cases cited. See also Rule 65(d) F. R. Civ. P. The question then is whether Dr. Silvert had actual knowledge of the injunction of March 19, 1954, issued against the Wilhelm Reich Foundation, and Dr.

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Wilhelm Reich and Ilse Ollendorff personally. There can be no doubt that he did. He was mailed a copy of that injunction when it was issued, he admitted at the trial that he read the injunction when he received it, and moreover he was one of those who moved to intervene in the suit in which it was issued. Thus it is abundantly clear that he knew of its existence and knew its terms.

The appellants' first jurisdictional contention does not deserve much comment or discussion. Its refutation is obvious from its mere statement. Of course the United States Government has power to forbid and power to take appropriate steps to prevent the transportation in interstate commerce of devices of alleged therapeutic value if they are adulterated or misbranded.

The appellants' second jurisdictional contention deserves only slightly more extended consideration. There can be no doubt whatever that Congress in §302(a) of the Federal Food, Drug, and Cosmetic Act gave the District Court jurisdiction over the subject matter of the original suit. Nor can there be any doubt that the District Court obtained personal jurisdiction over the defendants in that suit by legal service of process upon them in Maine. This jurisdiction, once obtained, certainly would not be terminated by any fraud practiced upon the court by the successful litigant. On the contrary, the Court's jurisdiction would necessarily have to continue in order to permit the court to entertain an application by the victims of a successful litigant's fraud to vacate the injunction through the remedies and procedures for relief outlined in detail in *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U. S. 238 (1944).

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And the remedies and procedures available to a defrauded litigant certainly do not include refusal to obey an injunction. It is too well settled to require a lengthy citation of cases that an injunction, temporary or permanent, must be obeyed as long as it is in force and effect. *Howat v. Kansas*, 258 U. S. 181 (1922); *United States v. United Mine Workers of America*, 330 U. S. 258, 289, *et seq.* (1947) and cases cited. Nor is this rule a mere technical quirk of procedure, for as the Supreme Court pointed out in *Gompers v. Bucks Stove & Range Co.*, 221 U. S. 418, 450 (1911):

“If a party can make himself a judge of the validity of orders which have been issued, and by his own act of disobedience set them aside, then are the courts impotent, and what the Constitution now fittingly calls the ‘judicial power of the United States’ would be a mere mockery.”

See also the remarks made by Mr. Justice Frankfurter at the bottom of page 311 and the top of page 312 of his concurring opinion in the *United Mine Workers* case, *supra*.

It follows that the court below did not err in refusing to permit the defendants at their trial for contempt to show in their defense that officers and agents of the Food and Drug Administration had procured the injunction of March 19, 1954, by fraud perpetrated upon the court.

Although the court's refusal to permit the defendants to show fraud in procuring the injunction is the only error asserted by them to have occurred at their trial, we have nevertheless, because the defendants were not represented by counsel in the court below and only partially on appeal, examined the record with particular care. We find

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ample evidence that Dr. Reich and the Wilhelm Reich Foundation deliberately refused to obey the injunction and that Dr. Silvert aided and abetted them in flouting it. Nor do we find any erroneous rulings of law. Indeed, it is evident from the record that throughout the trial the presiding judge solicitously protected the appellants' rights and gave them full opportunity to present every defense available to them under the law.

Judgment will be entered affirming the judgments of the District Court.

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UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

Judgment

December 11, 1956

This cause came on to be heard on the record on appeal from the United States District Court for the District of Maine, and was argued by Wilhelm Reich, pro se, and Michael Silvert, pro se, and by counsel for The Wilhelm Reich Foundation, appellant, and for appellee.

Upon consideration whereof, It is now here ordered, adjudged and decreed as follows: The judgments of the District Court are affirmed.

By the Court:

/s/ ROGER A. STINCHFIELD
Clerk.

[cc. Messrs. Haydon and Maguire, and Messrs. Reich and Silvert.]

(For judgments of District Court, see R. 534-539)

*Appendix***EXCERPTS FROM THE CONSTITUTION****Article III, Section 2:**

"1. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens, or subjects.

"2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all other cases before mentioned the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

"3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State the trial shall be at such place or places as the Congress may by law have directed."

Article III, Section 3:

"1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No

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person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

"2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted."

**BACKGROUND AND SCIENTIFIC DEVELOPMENT
OF WILHELM REICH**

*(From the Orgone Energy Bulletin, Vol. V, Nos. 3-4,
1953, burned on Court order August, 1956.)*

Wilhelm Reich's basic scientific discoveries include the following: Orgasm theory and technique of Character-Analysis (1923-34); Respiratory block and muscular armor (1928-34); Sex-economic self-regulation of *primary* natural drives in their distinction from *secondary, perverted* drives (1928-34); The role of irrationalism and human sex-economy in the origin of dictatorship of all political denominations (1930-34); The orgasm reflex (1934); The bio-electrical nature of sexuality and anxiety (1935-36); Orgone energy vesicles, BIONS, (1936-39); Origin of the cancer cell from bionously disintegrated animal tissue, and the organization of protozoa from bionously disintegrated moss and grass (1936-39); T-bacilli in sarcoma (1937); Discovery of the bio-energy (Orgone Energy) in SAPA Bions (1939), in the atmosphere (1940); Invention of the Orgone Energy Accumulator (1940); and the Orgone Energy Field Meter (1944); Experimental Orgone Therapy of the Cancer Biopathy (1940-45); Experimental

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investigation of primary biogenesis (Experiment XX, 1945); Method of Orgonomic Functionalism (1945); Emotional Plague of man as a disease of the bio-energetic equilibrium (1947); Orgonometric equations (1949-50); Hypothesis of cosmic superimposition of two orgone energy streams at the basis of hurricanes and galaxy formation (1951); Anti-nuclear radiation effects of Orgone Energy (The Oranur Experiment, First Report, 1947-51).

Wilhelm Reich was born on March 24, 1897, in Imperial Austria, as the son of a well-to-do farmer. His mother language was German. Until 1938, Wilhelm Reich (hereafter, WR) was an Austrian (Viennese citizen). He had no religious education. He adheres to no religious creed and to no political party.

WR's early education (1903-07) was as a private student. He passed his examinations at an Austro-German public school. He attended a German high school between 1907 and 1915, preparing for natural sciences, and graduated in 1915 with "Stimmeneinhelligkeit". His best subjects were German, Latin and Natural Science.

WR's interest in biology and natural science was created early by the life on the farm, close to agriculture, cattle-breeding, etc., in which he took part every summer and during the harvest. Between his 8th and 12th years, he had his own collection and breeding laboratory of butterflies, insects, plants, etc., under the guidance of a private teacher. The natural life functions, including the sexual function, were familiar to him as far back as he can remember. That may well have determined his later strong inclination, as a bio-psychiatrist, toward the biological

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foundation of the emotional life of man, and also his biophysical discoveries in the fields of Medicine and Biology, as well as Education.

After the death of his father, in 1914, WR, at the age of 17, directed the farm work quite on his own, without interrupting his studies, until the war disaster put an end to this work and destroyed all property in 1915. He was in the Austrian Army from 1915 to 1918, a lieutenant from 1916 to 1918.

WR entered the Medical School of the University of Vienna in 1918, earning his living and paying his way through school by tutoring fellow students in premedical subjects. War veterans were permitted to complete the 6-year course in 4 years. WR passed the 18 Rigorosa in 18 medical subjects except one easily, and in all the premedical subjects received "excellent" ("*ausgezeichnet*"). He was graduated and obtained the M.D. degree in July, 1922, from the University of Vienna.

During his last year of medical school, WR took postgraduate work in Internal Medicine at the University Clinics of Ortner and Chvostek at University Hospital, Vienna. He continued his postgraduate education in Neuro-Psychiatry for 2 years (1922-24) at the Neurological and Psychiatric University Clinic under Professor Wagner-Jauregg, and worked one year in the disturbed wards under Paul Schilder. His postgraduate study also included attendance at polyclinical work in hypnosis and suggestive therapy at the same University Clinic and special courses and lectures in biology at the University of Vienna. Also, while still in medical school, in October

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1920, WR attained membership in the Vienna Psychoanalytic Society, then under Professor Sigmund Freud.

WR began psychoanalytic and psychiatric private practice in 1922. By 1933, the demands of work in orgone energy research required the termination of private practice.

WR was First Clinical Assistant at Freud's Psychoanalytic Polyclinic in Vienna (under the directorship of Dr. Edward Hitschmann) from its foundation in 1922 until 1928; Vice-Director of the Polyclinic, 1928-1930, and Director of the Seminar for Psychoanalytic Therapy at the same institution, 1924-1930. As a member of the faculty of the Psychoanalytic Institute in Vienna, 1924-1930, WR gave lectures on clinical subjects and biopsychiatric theory. He did research in the social causation of the neurosis at the Polyclinic from 1924, and at mental hygiene consultation centers in various districts in Vienna (*Sozialistische Gesellschaft fuer Sexualberatung und Sexualforschung*), centers which he founded and led from 1928 through 1930. He continued his mental hygiene work in Berlin, 1930-33, as lecturer at the Psychoanalytic Clinic and at the Worker's College, and as head physician in mental hygiene centers of various cultural organizations in Berlin and other German cities.

Between 1934-39, WR lectured and did research in *orgone biophysics* at the Psychological Institute of the University of Oslo, Norway.

The Orgone Energy Laboratory was transferred by WR to Forest Hills, New York, WR coming to the U. S. A. on a non-quota Professor visa, in August, 1939. He was Associate Professor of Medical Psychology at the New

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School for Social Research, New York, 1939-41, giving lectures on orgone biophysics.

The *Orgone Institute* was founded by WR in 1942 in New York, and in the same year 280 acres of land were acquired in Maine and called "*Orgonon*", the future home of *Orgonomy, the Science of the Life Energy*. The *Wilhelm Reich Foundation* was founded in Maine, 1949, by students and friends, to preserve the Archives of WR and to secure the future of WR's discovery of the Cosmic Orgone Energy.

Glossary

A new scientific discipline must employ new terms if old ones are inapplicable. Orgonomy introduced the following terms:

Anorgonia. The condition of diminished or lacking orgonity (q.v.).

Armor. See character armor, muscular armor.

Bions. Energy vesicles representing transitional stages between non-living and living substance. They constantly form in nature by a process of disintegration of inorganic and organic matter, which process it has been possible to reproduce experimentally. They are charged with orgone energy (q.v.), i.e., *Life Energy* and may develop into protozoa and bacteria.

Character. An individual's typical structure, his stereotypical manner of acting and reacting. The orgonomic con-

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cept of character is functional and biological, and not a static, psychological or moralistic concept.

Character-Analysis. Originally a modification of the customary psychoanalytic technique of symptom analysis, by the inclusion of the *character* and *character resistance* into the therapeutic process. However, the discovery of the *muscular armor* necessitated the development of a new technique, namely vegetotherapy. The later discovery of *organismic orgone energy* ("bioenergy") and the concentration of atmospheric orgone energy with an orgone energy accumulator necessitated the further development of character-analytic vegetotherapy into an inclusive, biophysical *orgone* therapy. (See physical and psychiatric orgone therapy.)

Character Armor. The sum total of typical character attitudes, which an individual develops as a blocking against his emotional excitations, resulting in rigidity of the body, lack of emotional contact, "deadness". Functionally identical with the muscular armor. (q.v.)

Character, Genital. The un-neurotic character structure, which does not suffer from sexual stasis and, therefore, is capable of natural self-regulation on the basis of orgasmic potency.

Character, Neurotic. The character which, due to chronic bioenergetic stasis operates according to the principle of compulsive moral regulation.

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Emotional Plague. The neurotic character in destructive action on the social scene.

Muscular Armor. The sum total of the muscular attitudes (chronic muscular spasms) which an individual develops as a block against the breakthrough of emotions and organ sensations, in particular anxiety, rage, and sexual excitation.

Orgasm. The unitary involuntary *convulsion of the total organism* at the acme of the genital embrace. This reflex, because of its *involuntary* character and the prevailing orgasm anxiety, is blocked in most humans of civilizations which suppress infantile and adolescent genitality.

Orgastic Impotence. The absence of orgastic potency. It is the most important characteristic of the average human of today, and—by damming up biological (orgone) energy in the organism—provides the source of energy for all kinds of biopathic symptoms and social irrationalism.

Orgastic Potency. Essentially, the *capacity for complete surrender to the involuntary convulsion* of the organism and *complete discharge* of the excitation at the acme of the genital embrace. It is always lacking in neurotic individuals. It presupposes the presence or establishment of the genital character, i. e., absence of a pathological character armor and muscular armor. Orgastic potency is usually not distinguished from erective and ejaculative potency, both of which are only prerequisites of orgastic potency.

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Orgone Energy. Primordial Cosmic Energy; universally present and demonstrable visually, thermically, electroscopically and by means of Geiger-Mueller counters. In the living organism: *Bio-energy, Life Energy*. Discovered by Wilhelm Reich between 1936 and 1940.

Oranur denotes orgone energy in a state of excitation induced by nuclear energy. (DOR denotes *Deadly OR* energy.)

Orgone Therapy

Physical Orgone Therapy: Application of physical orgone energy concentrated in an orgone energy accumulator to increase the natural bio-energetic resistance of the organism against disease.

Psychiatric Orgone Therapy: Mobilization of the orgone energy in the organism, i.e., the liberation of biophysical emotions from muscular and character armorings with the goal of establishing, if possible, orgasmic potency.

Orgonity. The condition of containing orgone energy; the quantity of orgone energy contained.

Orgonometry. Quantitative orgonomic research.

Orgonomic ("Energetic") Functionalism. The functional thought technique which guides clinical and experimental orgone research. The guiding principle is that of the *identity of variations in their common functioning prin-*

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ciple (CFP). This thought technique grew in the course of the study of human character formation and led to the discovery of the *functional* organismic and cosmic orgone energy, thereby proving itself to be the correct mirroring of both living and non-living basic natural processes.

Orgonomy. The natural science of the cosmic orgone energy.

Orgonotic. Qualities concerning the orgonity of a system or a condition.

Sex-Economy. The body of knowledge within Orgonomy which deals with the economy of the biological (orgone) energy in the organism, with its *energy household*.

Stasis. The damming-up of Life Energy in the organism, thus the source of energy for biopathy and irrationalism.

Stasis Anxiety. The anxiety caused by the stasis of sexual energy in the center of the organism when its peripheral orgastic discharge is inhibited.

Stasis Neurosis. All somatic disturbances which are the immediate result of the stasis of sexual energy, with stasis anxiety at its core.

Work Democracy. The functioning of the natural and intrinsically rational work relationships between human beings. The concept of work democracy represents the

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established *reality* (not the ideology) of these relationships which, though usually distorted because of prevailing armoring and irrational political ideologies, are nevertheless at the basis of all social achievement.

TESTIMONY OF PETER MILLS

(R. 348-354)

(All emphasis by WR)

PETER MILLS, a witness, called by and on behalf of the defendants, first being duly sworn, was examined and testified as follows:

Direct examination by Dr. Reich:

Dr. Reich: Here is the first Exhibit, Mr. Mills. This was taken from the records about your activities in connection with what you did for us. Mr. Mills, what is this?

Mr. Mills: This is a table of events from the records. What is your question, Doctor?

The Court: I presume, Mr. Mills, that all he means is this: To the best of your knowledge, is this a fair representation of your activities.

Dr. Reich: This is an abstract of our association?

Mr. Mills: I don't know.

Dr. Reich: Would you please inspect it?

Mr. Mills: I am presented, Your Honor, with an eight-page list of items and dates and I am in no position to verify or deny.

The Court: Do you have any reason to challenge any of it from your memory?

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Mr. Mills: No, I have no reason to challenge it but I haven't any reason to confirm it either, Your Honor, as they are listed. I could state, generally, that I would try to be responsive to any questions that the examiner asks.

The Court: *They have a right to show the transactions. If we have to go through the books and take item by item, and you use the charts and books, I think you should check that this noontime and let us see if it is a fair and accurate representation.* He asked you if that is a fair representation of your activities in relation to the corporation.

Mr. Mills: Well, I am looking at the photograph, and it bears my signature, which I recognize as a statement, as a Notary Public, on August 11, 1947. I believe that was the first contact that I had with Dr. Reich. Dr. Reich called at my office to have a Notary take a statement and I notarized that statement and I affixed my name on it.

Dr. Reich: There are dozens of them?

Mr. Mills: There was one other occasion.

The Court: I am going to ask you to hand that list to Mr. Mills and I am going to ask you during the recess to check, so far as you can, whether that is a fair representation of your activities.

(Recess 12:20-2:05)

MR. MILLS resumes the stand:

Dr. Reich: Mr. Mills, did you look through the material?

Mr. Mills: I did.

Dr. Reich: Is it authentic material in connection with your connection with Orgone Institute and the Wilhelm Reich Foundation?

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Mr. Mills: I did not get the first few words?

Dr. Reich: *Is this material legal material which you have handled in your function as a counsel for the Foundation, for the Orgone Institute, and for many of its employees and directors?*

Mr. Mills: *It is not.*

The Court: Let me ask you this: Is that list a fair representation of activities in which you *were engaged in relation to the corporation or some of its subsidiaries?*

Mr. Mills: *It is not, Your Honor.*

Dr. Reich: Mr. Mills, have you been the counsel of the Corporation of the Wilhelm Reich Foundation? Did you incorporate the papers and sign all documents?

Mr. Mills: Part of your question I would say in the affirmative. *I was at one time counsel for the Corporation, and I was the attorney at the time it was incorporated.*

Dr. Reich: Did you act as counsel for the Corporation?

Mr. Mills: Yes.

Dr. Reich: That was in 1949?

Mr. Mills: I think 1950 or 1951.

Dr. Reich: The Wilhelm Reich Foundation was incorporated by you as a lawyer in 1949. Isn't that true?

Mr. Mills: *I was the attorney at the time of the incorporation.*

Dr. Reich: You partook in the meetings of the physicians who *constituted the board of trustees of the Wilhelm Reich Foundation?*

Mr. Mills: *Some of them.*

Dr. Reich: *But you were our counsellor, our attorney?*

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Mr. Mills: *On some matters.*

Dr. Reich: Yes, on basic matters, some of our legal matters, from 1949 to 1952?

Mr. Mills: I believe that that is correct.

Dr. Reich: *That is about three years?*

Mr. Mills: *Yes.*

Dr. Reich: The documents which pertain to this service, that you rendered, are in there?

Mr. Mills: I couldn't say all of them are in there, but certainly *many of them are.*

Dr. Reich: Would you permit that I submit this material as evidence?

The Court: The question is: Does he agree that this material, which he identifies, substantially or partially, represents his transactions. Will you agree that that be put in evidence?

Mr. Mills: *I would not agree to agree or disagree. I would not from my review of it.*

Dr. Reich: My question was, do these documents pertain to your service as our counsel?

Mr. Mills: There is a great deal more in these documents that I have no knowledge of.

Dr. Reich: Would you agree to eliminate those which do not pertain to your service as counsel?

Mr. Mills: I would agree that many of these are. There are corporation papers here. There are many other things which certainly appear to be authentic.

Dr. Reich: For instance, one or two examples—one document there appears to be a notarization?

Mr. Mills: Yes.

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Dr. Reich: Another notarization is a very important, crucial document pertaining to what we called Vacor Phenomenon. Do you remember that?

Mr. Mills: I do.

Dr. Reich: You do?

Mr. Mills: Yes.

Dr. Reich: The fact that I want to establish here is only one. You were for three years—for more than three years—a good friend of ours and a counselor?

Mr. Mills: That's correct. I was professionally, but not intimately.

Dr. Reich: There was some private contact?

Mr. Mills: Yes, a cup of coffee.

The Court: With cream and sugar in it?

Dr. Reich: That's right.

Dr. Reich: Now, Mr. Mills, the problem which is before us here, in this legal case—I think the Court will permit me, as a human being, to ask one central question which pertains to the Injunction since you are the counsel for the opponent.

Mr. Mills: Are you asking me a question or testifying?

Dr. Reich: I am leading up to my question. My question is now why you changed from our counsel to be the counsel for the opponents?

Dr. Reich: This problem, Your Honor, I submit to you to be admitted in Court.

The Court: Well, what is your question?

Dr. Reich: My question is, under the circumstances, what reasons, or what facts induced Mr. Mills after being our counsel for three years, and I regarded him as a good

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friend, to be our opponent's counsel, and the one to prosecute me and Dr. Silvert as criminals?

The Court: *That is a fair question if there is anything.*

Mr. Mills: The question is, what prompted me?

Dr. Reich: What made you change your mind?

Mr. Mills: *I have never changed my mind. I am not conscious of changing my mind.*

The Court: Wait a minute. The original question was *what prompted you to change sides.*

Mr. Mills: *I never changed sides. I first made my connections, I believe, with you on August 29, 1952. I never advised you on matters concerning the Pure Food and Drug Administration. I did not read the law with respect to the Pure Food and Drug Administration. I did not know it had any application in this business. You did not advise me.*

Dr. Reich: In 1952 you stopped being our counsel, and then in 1954—I think it is 1953, because we have information that the complaint was here in court for a long time, and you were the attorney for the opponent in 1952. Do you remember that in 1952 to put it correctly and legally, that you were present at a meeting with the Pure Food and Drug Administration * * *?

Mr. Mills: I do not.

The Court: Let him finish the question.

Dr. Reich: *You don't know?*

Mr. Mills: *That's right.*

Dr. Reich: You do not remember the meeting where the physicians were there in my study, in the Observatory?

Mr. Mills: The only recollection I have with reference to the Pure Food and Drug Administration, in your con-

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nection, is one afternoon we were on the premises, you and I, and you said to me "*spies—The Pure Food and Drug Administration . . .*"

Dr. Reich: I do not remember that, but do not interrogate me. I will ask you questions. You will have plenty of time to interrogate me later. I am sorry, but that was out of step. Are you convinced that I am trying to get out the truth here?

Mr. Mills: I presume so.

Dr. Reich: Will you agree with me also that it is the job and the task and the obligation of everyone to get out the truth?

Mr. Mills: I certainly do.

Dr. Reich: *You will certainly agree that the function of the District Attorney is not to prosecute by all means and to convict, but to find the truth? I will appreciate it if you will help to find the truth.*

Mr. Mills: *I certainly agree with you. I will try to help you.*

The Court: You are getting argumentative. *You have shown he was your counsel for three years. You can argue the rest of it when you argue your case, but I do not think you ought to pursue it any further.*

Appendix

THE FRAUD AND THE CONTEMPT PROCEEDINGS*

(Legal Summary)

The information charging the petitioners with contempt was filed by their former attorney who is now the United States Attorney for the District of Maine (R. 348, *et seq.*, and Appeal Brief for WR, pp. 7r-43r, Appendix to Brief). It was charged that Reich and the Foundation failed to comply with the injunction (R. 470, *et seq.*).

*The injunction should not have been granted. The order was entirely void. Although it was called to the attention of the Court of Appeals, it overlooked the overwhelming weight of judicial authority to the effect that a person charged with contempt may always show in his defense that an order is void. [*Ex parte Rowland* (1882) 104 US 604, 26 L ed 861; *Ex parte Fish* (1884) 113 US 713, 28 L ed 1117, 5 S Ct 724; *Re Ayers* (1887) 123 US 443, 31 L ed 216, 8 S Ct 164; *Re Sawyer* (1888) 124 US 200, 31 L ed 402, 8 S Ct 482; *Ex parte Buskirk* (1896, CA 4th) 72 F 14; *Ex parte Robinson* (1906, CA 9th) 144 F 835; *Leavis v. Peck* (1907, CA 7th Ill) 154 F 273, cert den 207 US 593, 52 L ed 355, 28 S Ct 258; *Brougham v. Oceanic Steam Navigation Co.* (1913, CA 2d NY) 205 F. 857; *Abbott v. Eastern Massachusetts Street R. Co.* (1927, CA 1st Mass) 19 F 2d 463; *Beauchamp v. United States* (1935, CA 9th Cal) 76 F 2d 663; *Russell v. United States* (1936, CA 8th Minn) 86 F 2d 389; *Graham v. United States* (1938, CA 9th Cal) 99 F 2d 746; *Western Fruit Growers, Inc. v. Gotfried* (1943, CA 9th Cal) 136 F 2d 98; *United States v. DeParcq* (1947, CA 7th Ill) 164 F 2d 124; *Pueblo Trading Co. v. El Camino Irrig. Dist.* (1948, CA 9th Cal) 169 F 2d 212, cert den 335 US 911, 93 L ed 444, 69 S Ct 482; *United States ex rel. White v. Walsh* (1949, CA 7th Ill) 174 F 2d 49; *Evans v. Pack* (1878, CC Mich) 2 Flipp 267, F Cas No. 4566; *United States v. Debs* (1894, CC Ill.) 64 F 724; *Foot v. Buchanan* (1902, CC Miss) 113 F 156; *American Lighting Co. v. Public Service Corp.* (1904, CC NY) 134 F 129; *United States v. Atchison, T. & S. F. R. Co.* (1905, CC Mo) 142 F 176; *Brotherhood of R. & S. S. Clerks v. Texas & N. O. R. Co.* (1928, DC Tex) 24 F 2d 426, mod on reh 25 F 2d 876, affd (CA 5th) 33 F 2d 13, which is affd 281 US 548, 74 L ed 1034, 50 S Ct 427]. (Citations from Reply Brief for The Wilhelm Reich Foundation by Counsel Charles Haydon, pp. 4-5.)

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Immediately, the Foundation and WR moved to dismiss for lack of jurisdiction (R. 463-464). Then, on October 10, 1955 motions were made and argued on behalf of all of the petitioners to dismiss the information and vacate the decree of injunction for suppression and falsification of evidence (R. 468, 484).

In order further to demonstrate the fraud and suppression which appellants prove permeated the entire case from its inception, on November 4, 1955, Wilhelm Reich argued his motion to show "illegal misrepresentation in Court of pertinent facts" (R. 500). The motion was denied on that day, despite the argument of Reich that he sought to proceed "with enumeration of the misrepresentations of pertinent facts" (R. 513). He was prevented from so doing by the Court. At that time none of the appellants were represented by counsel (R. 504 and Petitioners' Exs. 4 and 5, R. 1-104, 336).

Thereafter on November 17, 1955, the appellant Reich sought to inspect material subpoenaed from the Food & Drug Administration, including reports on actual experiments, but that motion was denied as well (R. 530).

No testimony was permitted to be taken and no hearings were held on any of the motions, which were all denied.

Again, at the trial itself, the Court prevented the development of such evidence of fraud by the petitioners when it ruled at virtually the outset of the trial:

Appendix

"I am not interested in anything that took place prior to the issuance of the injunction." (R. 121)

The rulings of the Court below deprived the petitioners of the opportunity to show that the entire decree was the result of a fraudulent conspiracy, and that they were thus convicted without due process of law.