

BULLETIN

OF . . . THE

NATIONAL HEALTH FEDERATION

AUGUST

1955

Gestapo Methods Used in Raids On Chiropractors' Offices

Gestapo methods, flagrant violation of personal liberties granted by the United States Constitution, and trial and conviction by newspaper through the premature publication of reportedly false and defamatory statements aimed at swaying public opinion, characterized the recent arrest of six Long Beach, California, chiropractors, the search of their offices and the seizure of equipment and records.

The raids upon the six offices were apparently led by an inspector employed by the state medical board in company with representatives of the state Bureau of Food and Drug Inspections and assisted by a squad of Long Beach police officers. The search of the offices, the seizure of equipment and the arrest of the doctors were carried on in the manner of a raid upon an illegal gambling establishment. In several instances, patients under treatment at the time, were mistreated by the officers and were intimidated into giving their name and address as if they were an accessory to a crime.

Following the raid upon each of the offices the doctors were arrested and jailed charged with violation of the Health and Safety Code in having allegedly made false and misleading statements (both oral and written) in connection with diagnostic and treating devices used by them.

The National Health Federation is primarily interested in the case of these six chiropractors because of the principles of rights and freedoms that are involved. We are not fundamentally interested in the therapies they use or in the fact that they are chiropractors. We do, however, recognize in these cases a familiar trend or pattern to which we are definitely opposed. We see here, the same pattern of un-American procedures observed elsewhere many times before when medical officials, or other officers willing to be dupes of organized political medicine, have pounced upon those in the non-medical professions or upon those seeking to teach people how to avoid illness. We see here the hand of organized medical monopoly seeking to destroy its competition — using perhaps unconstitutional means and securing the assistance of local law enforcement officers to help them — all at the taxpayers' expense.

To us the dead give-away of the motive in these Long Beach inquisitions was the presence of the inspector for the medical board. Since there was no alleged violation

Abuses Alleged Under Present Mail Fraud Law

When Congress passed the mail fraud law in 1874 little did they realize that this law would one day be used as a blackjack for the medical monopoly-drug trust combination and that it would be used to deny many honest folks of their Constitutional right to use the U.S. mails.

The procedure used by the Post Office Department in issuing a fraud order goes something like this: When the Post Office Department feels that it has evidence that a firm or individual is using the mails for fraudulent purposes a complaint is sent to the accused setting forth the nature of the complaint and setting a date for a hearing or "trial" at which time the accused is given an opportunity to present his defense.

The "trial" date invariably is set two or three weeks following the issuance of the complaint. This gives little time to prepare a defense. Also, the "trial" is always held in Washington, D.C., even though the accused may reside across the nation. Many small business firms and individuals have been financially unable to go to Washington and thus have lost their case by lack of proper defense. In all other cases of alleged violations of Federal laws, the hearing and trial are held in the nearest Federal District Court.

The "trial" is held in the Post Office Department's own court and is presided over by a "trial examiner" while the Solicitor of the Post Office Department is the

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of the Medical Practice Act we see little or no legitimate reason for his interest in these cases, much less his presence.

In these cases there is a strong suggestion that constitutional rights were violated in the search of the offices and in the seizure of equipment. In the first place, in spite of demands of the doctors to see a search warrant authorizing such a search, none were permitted to read the warrant or to have it read to them — if such existed. During the arraignment proceedings in court the following morning, it was admitted that equipment and items were seized which were not named in the search warrant. This, of course, is a clear-cut violation of rights provided by the Constitution of the United States.

In addition to equipment being seized, patients' rec-

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A Dangerous Ideology

During the recent years much attention has been given to the infiltration of communism into our nation bringing with it foreign ideologies. For a much longer time there has been another dictatorship-like ideology creeping insidiously over our land and into high and official places. This is the ideology of the medical monopoly-drug trust combination which seeks to destroy your and my freedoms in all matters even remotely related to health. They would completely subjugate the American people to their dictates and crush all competitive systems and thoughts.

Their carefully planned program will succeed unless organized opposition arises to change the tide. This is the purpose of the National Health Federation. There was never a greater need for an organization of this type.

If you already are a member secure at least one new member each month to insure the continued growth and effectiveness of your organization.

If you are not yet a member and if you cherish the American traditions of freedom and wish to protect the ideals of healthful living, join now. Use the handy application form on the next page, or, if desired, ask for additional information concerning the organization.

Congress Considering Bills To Permit Impounding of Mail Prior To Issuance of Fraud Order

Bills S8 and HR174 have been introduced into Congress to give the Post Office Department the right to impound and not deliver mail addressed to firms against which fraud or unlawful order proceedings have been started until such proceedings have been finally determined. The Senate bill would allow the Postmaster General upon one day notice to the respondent to apply to the Federal District Court in the respondent's locality for an impounding order. The House bill, which passed the House last session, would allow the Postmaster General to impound mail immediately upon the issuance of an order to show cause why a fraud or unlawful order should not be issued and gives the respondent the right to apply to the Federal District Court for relief.

These bills extend unnecessary, unwarranted, dictatorship-like authority to government bureaucrats. Actions of the type authorized by these bills have no place in

MAIL FRAUD LAW . . .

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prosecuting attorney. The accused has no recourse to a jury.

Witnesses, who are not recognized as expert witnesses, cannot testify as to their opinion. Thus, the seller of a health building aid or a health book cannot bring in as witnesses people who have benefitted through the use of the product or through the application of the knowledge contained in the book. Testimony by such people concerning health benefits gained is considered to be merely an expression of opinion by those not qualified to express opinions in the health field. On the other hand, in cases concerning health matters, the government presents one or more medical physicians (usually government employees) as expert witnesses. They testify that the product is worthless or that the book contains false information — information not accepted by the "consensus of medical opinion" which merely means the official opinion of the A.M.A. Upon this evidence many have been found guilty of using the mails for so-called fraudulent purposes and have lost their Constitutional right to use the U.S. mails and through this have had their means of livelihood destroyed. In some cases we know of delivery of mail was withheld even before the "trial date".

After one has had a fraud order issued against him, he may then seek relief through a District Federal Court through a regular trial. In America one is supposed to be considered innocent until proved guilty. In these Post Office cases one may be declared guilty and the punishment continued until you can prove yourself innocent.

During the past few weeks your editor has talked with several persons — writers or sellers of "health" books — against whom fraud orders have been issued. In most cases the books in question merely expressed the views and convictions of the author — this privilege is supposedly guaranteed by the Constitution of the United States. Yet, in these cases, the accused were found guilty because these views did not coincide with the views of the "consensus of medical opinion." The time apparently has arrived when one dares not to think, speak or write about things not approved by the A.M.A. This is true medical dictatorship which is taking the place of Constitutional freedoms.

For reasons pointed out above, many, many persons feel that the mail fraud law needs revision to prevent alleged abuses. The recommended changes would (1) prevent the issuance of a fraud order until the accused has been found guilty in a District Federal Court with a trial by jury if desired by the defendant; (2) require that the trial be held in the Federal Court in the district in which the defendant resides or does business, and (3) require that the Post Office Department set up an advisory and information office in each district through which an individual or firm doing business by mail may "clear" his advertising matter, literature, etc., before introducing it into the mails, but that this clearance not be mandatory, rather rendered only as a service. Federation members will be asked to support these revisions when shaped into an actual amendment to the fraud law and introduced into Congress.

our American democracy — in a land where one is supposedly not adjudged guilty and punished until he has had a fair trial in court. Write your Congressman and Senators vigorously opposing these bills.

Post Office Vs. Health Research

In May the Post Office Department issued a complaint against Health Research (Dr. R. G. Wilborn) engaged in the business of selling health books by mail. The complaint charged that the pre-sale literature contained false and misleading statements inasmuch as the literature (they claim) suggests that benefits to health might accrue from following instructions contained in the books offered for sale. The books in question advocate non-medical methods and apparently the Post Office Department is convinced that such methods have no value and hence the complaint — the first step towards the issuance of a fraud order.

At this time it seems likely that the case will be settled through a compromise. Dr. Wilborn has signed an affidavit of discontinuance in which he promises never again to use these statements objectionable to the Post Office Department. At any time, however, that someone in the Post Office Department believes that the terms of the affidavit have been violated, either expressly or impliedly, a fraud order may be issued and mail impounded without further notice.

Even though we have read the original complaint and have seen the government's exhibits of objectionable advertising material, we are still puzzled. In the exhibits, six of the books are listed by title, author and price only, with no additional comments. For the most part these are the books that contain the word "cure" in the title. The implications are, as we see it, that the Post Office considers that the mere listing of a book with a title containing this word constitutes fraud.

For Our New Friends

The National Health Federation is not opposed to any system of healing, medical or non-medical, nor does it desire or intend to promote any particular system or school of thought in the field of healing. It is opposed, however, to the efforts of any one organized profession to monopolize the field of health. It believes that the American Medical Association, as a political and lobby-

M.D. Fears D.D.T. Is Poisoning Nation

A New York physician subjected samples of fatty tissue taken from 25 New Yorkers who had never handled DDT, except momentarily, to chemical analysis and found DDT in 23.

This caused the physician, Dr. W. Coda Martin, to ask fellow practitioners last night, "What will happen to the entire population in 10 to 15 years from now?"

Addressing the New York chapter of the American Academy of Nutrition, Dr. Martin said his patients had accumulated DDT in their bodies from DDT insecticides on or in the food they ate.

DDT is poisonous to man as well as to insects, he said, adding that the use of DDT and its chemical relatives in agriculture now totals well over 250,000,000 pounds a year and is increasing. These insecticides are known to be accumulative in animal and human fats.

Dr. Martin said laboratory analysis showed that the DDT level in the 23 out of 25 human fatty tissue samples examined ranged from one part per million to 11 parts per million.

"In the face of all these devastating facts DDT and other newer and more toxic insecticides are being used each year in greater and greater quantities on our food. If each year the resulting liver damage is increased and its efficiency decreased, what will happen to the entire population in 10 to 15 years from now?"

— *New York World-Telegram and Sun*, Sept. 15, 1953

The above news report further points up the need for urging the passage of H.R. 4475 and H.R. 4476 — bills introduced by Rep. James J. Delaney of New York which propose to give the Federal Food and Drug Administration authority to control the use of dangerous food sprays.

ing organization, seeks such a monopoly position and that this is not in the best interests of the public. The Federation is not opposed to medicine as a system of healing or to the thousands of conscientious medical physicians.

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- ☐ I wish to become a **REGULAR MEMBER** of the National Health Federation and am enclosing \$2.00 as dues, and a subscription to the Bulletin, for the current year.
 - ☐ I wish to become an **ACTIVE MEMBER**. I am enclosing \$5.00 as dues for the current year. Please send me a kit containing applications for enrolling regular members including literature and instructions. I understand that I must procure the minimum of 10 regular members in order to qualify for this preliminary membership and to be recognized as a qualified active member.
 - ☐ I wish to become a **SUSTAINING MEMBER** and am enclosing \$_____ (minimum fee \$25.00) to support the objectives of the organization.

Name _____

Address _____

GESTAPO METHODS USED . . .

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ords, appointment books and, in one office, even the doctor's license to practice were taken. We seriously question the right to seize patients records inasmuch as such records are confidential between doctor and patient. Courts have long held that such records are privileged communications and that a doctor cannot be forced to reveal the contents of such records except under the most extenuating circumstances. Since having access to the records the officers have been calling patients in an effort to intimidate them into testifying against their doctor.

In connection with these cases we observe another commonly used tactic seen in other cases where organized medicine has been on the accusing side. This is the practice of providing generous and often premature publicity of a type and character intended to adversely mold public opinion as far as the accused is concerned even before the accused stands trial and is found guilty through the due processes of law.

Had the President of the United States visited Long Beach it is doubtful that the event would have received more publicity than did the arrest of these six chiropractors. We suspect that this excessive news coverage was given at the strong suggestion of the state officers conducting the raids. But, as we say, this is a common trend. When organized political medicine is on the accusing side the accused is smeared, discredited, misquoted and maligned before he is actually found guilty. This constitutes trial and conviction by newspaper. This, of course, is foreign to American principles. We sometimes wonder if newspapers willingly or ignorantly or possibly out of necessity serve as dupes to organized medicine. In either case the newspapers show poor judgment in terms of honest American traditions of freedom and equality.

It would seem that representatives, fellow travelers and dupes of the organized medical monopoly seem often to regard themselves as above the law, devoid of the principles of justice and fair play and certainly not subscribers to the philosophy of live and let live.

As for the charges against these doctors we seriously question their validity. We do not presume to be judge

or jury but having talked with each of the doctors we are convinced of their basic integrity and we do not believe that any of them would intentionally and deliberately misrepresent their methods of treatment. Rather, they honestly express faith in these methods based on their training and years of experience in practice using these methods.

In these cases we see on the one hand state officers, with their medical viewpoint, stating that the devices in question have no value whatsoever and that any statement to the contrary made by the doctors using the devices is a misrepresentation and consequently a violation of the law. On the other hand, we see these six chiropractors, who are among the thousands of chiropractors as well as some osteopathic and medical physicians who use similar types of equipment, stating that their professional training and experiences have led them to believe that there is very definite value in the use of equipment of the type in question. Thus we see here merely a difference in opinions — the opinion representing the view of organized medicine on the one hand and the opinion of professional people who have had actual experience in the use of these therapies on the other hand.

There always has been and these probably always will be differences of opinion concerning diagnostic and therapeutic methods even within the medical profession, much less between two opposing schools of thought in the field of healing. Certainly each profession should have the privilege and responsibility of evaluating the methods used by its members without interference from an opposing profession.

These cases have been reported here just as we reported the story of the harassment of Dr. Allen, director of the Hoxsey Cancer Clinic in Portage, Pennsylvania, in the July issue of the *Bulletin* in an effort to show the trend that is being established. Many, many similar cases could be described. Organized medicine seems definitely dedicated to the task of destroying its competition and everything within the field of health that it cannot control. It is their apparent goal to subjugate the American people to their dictates in all matters of health and thus depriving the people of any freedom of choice. In the name of the principles of American freedom this trend must be stopped — this is the dedicated task of the National Health Federation.

NATIONAL HEALTH FEDERATION

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