

Boardman
Belmont
Baumgardner
Mr. Rozamus

Assistant Attorney General
Warren Olney III

October 20, 1955

Director, FBI

WILHELM REICH FOUNDATION
MISCELLANEOUS - INFORMATION CONCERNING
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 the
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

7-122

MJR:fmb
(11)

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

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MAILED 11
OCT 20 1955
COMM - FBI

27 OCT 25 1955

66 NOV 1 1955

Memorandum UNITED STATES GOVERNMENT

Mr. Tolson *per P 11/11/55*

DATE: 10/26/55

FROM: L. B. Nichols *[Signature]*

SUBJECT: WILHELM REICH

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

Photo Bureau

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.

MECC
cc - Mr. Boardman
Mr. Belmont
Mr. Rosen

JSM:c
(5)

Belmont
to Boardman, 11/1/55
memo to O'Leary 11/1/55

[Handwritten initials and dates]
10/27/55

NOV 27 1955

[Handwritten notes and stamps]
NOV 5 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
W. Steig*

RECORDED - 65

INDEXED - 65

105-11441-80
7 NOV 2 1955

317
52 NOV 8 1955

8
[Handwritten mark]

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, and 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, FBI
Washington, D. C.
October 24, 1955

(Signed)

J. Edgar Hoover
Director, FBI
Washington, D. C.

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 EPEO
(Emotional Illness 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 EPEO, the Emotional Illness 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 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 ~~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
dangleoy, Maine, USA
October 24, 1955

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

Quotation From IT'S A GUIDE TO MODERN LEGAL FRACAS
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 1914, 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, 1932

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 1914, 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

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-

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.

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EX-118

20 NOV 3 1955

NOV 10 1955

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- Boardman _____
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- 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

Handwritten signatures and initials:
V. [unclear] [unclear] gmm [unclear] [unclear]

**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 Moise 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.H.

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 11:58 AM '55
3-27-55
4-3-55
By [unclear]

no acknowledgment

115-11461

NOV 15 1955

NOV 15 1955

2/6
ENCL. 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 NUCLEAR 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 orgonomic literature. DOR-sickness is a crucial fact in the evaluation of Orgonomic 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 abuse 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 shall 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 "LGH-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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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 an 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 ORUR from Maine to Arizona?

ORUR is denaturalized nuclear material. I should like briefly to explain what *Oranur* and *Our* 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. ORUR cannot. On the contrary, any shielding by way of metal or even mere vicinity of metal will excite ORUR into high-pitched activity, foreign to NU material. Therefore ORUR 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.

ORUR, 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 misstatements.

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 _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

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MAR 7 1958

Orig and dupl to Mr. J. Edgar Hoover, Director, Division of Security, Dept. of Justice, via liaison.

RECORDED

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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, 1938-1935, 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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RECORDED-41

INDEXED-41

14 MAR 1956

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
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, 195_

(SEAL)

C O P Y

Telephone Conversation at about 9:30 A.M.
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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.

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/s/ JOHN W. LEIST, M.D.
John W. Leist, M.D.

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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.

Dear Mr. Hoover:

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The actions of the inspector speak for themselves.

Sincerely,

Michael Silvert, M.D.

Michael Silvert, M.D.

MS:ct

EXP. PROC.
MAR 7 1956

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Handwritten notes:
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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 date and time of the conversation, and that the same
be remembered.

John W. Leist
John W. Leist, M.D.

Witness to signature:

John A. Hodgson
JOHN A. HODGSON
COMMISSIONER OF HEALTH, OHIO
COMMISSION EXPIRES OCT. 21, 1956



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Administration, Rm. 322, Old Post Office
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Capital 1 - 6411; Ext. 450.

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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.

Arthur J. Hodgson



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.
Srogne 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.

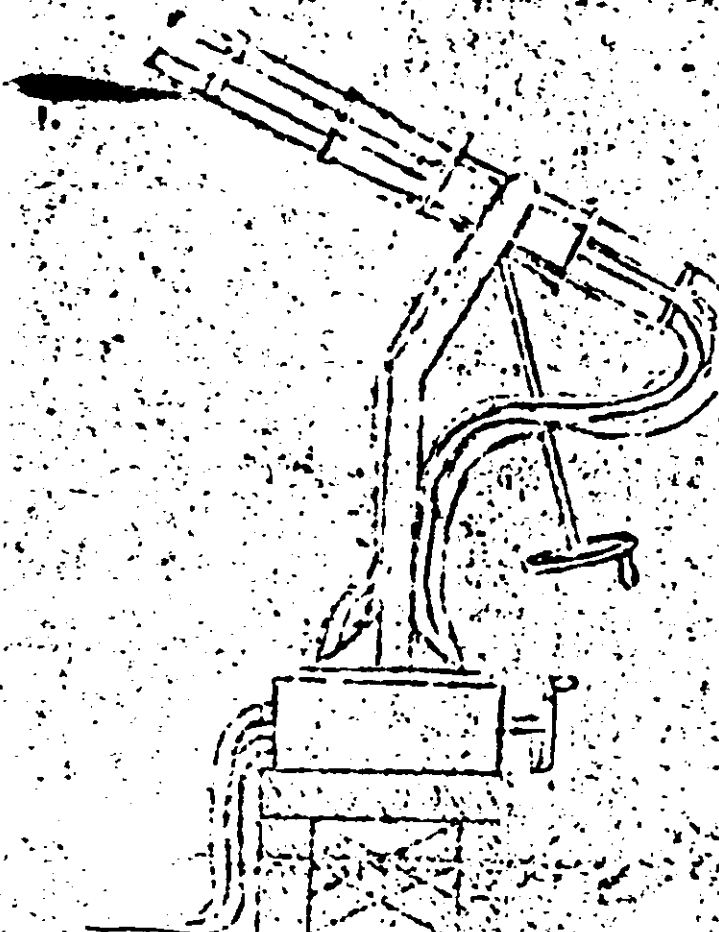
A photograph of a Space Gun and a sketch showing
a Space Gun, size and type of the wooden base it is
to be mounted on and the location desired is enclosed.
Any additional information needed will be furnished
at your request.

Sincerely,

William Weise, Secretary
for The Orgone Institute

105-11461-87

ENCLOSURE



Space Gun

3 feet
WOODEN BASE
1 foot

ground
3 feet 4"



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-separating non-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

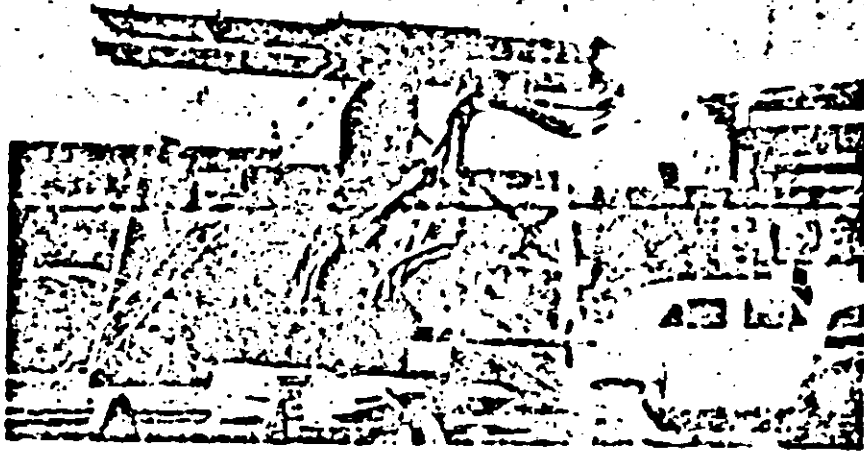


FIGURE 54. THE CLOUDBUSTER MOUNTED ON DUCK WITH TELESCOPED DRAW PIPES.

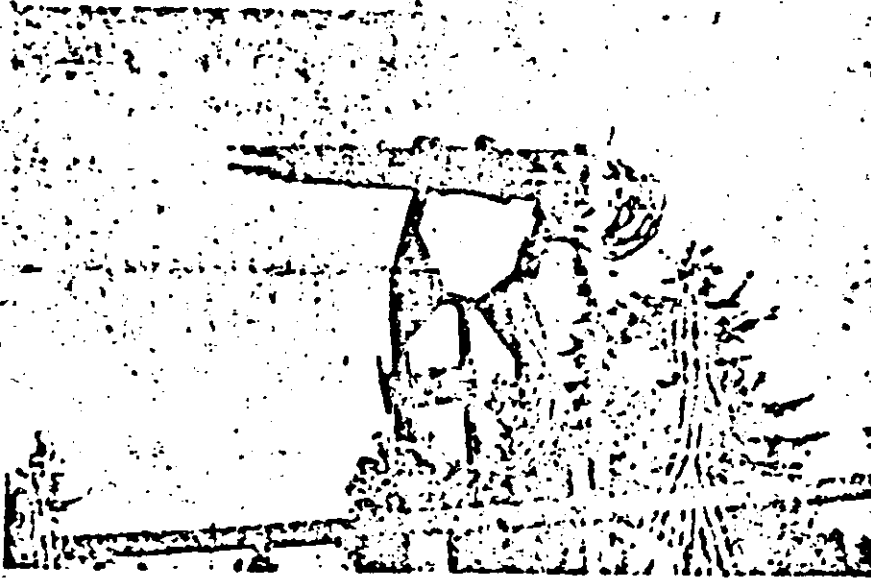


FIGURE 55. THE CLOUDBUSTER MOUNTED ON A DUCK WITH DRAW TUBES EXTENDED.

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

W 9-1

SUBJECT: File No. 105-11461

Wilhelm Reich Foundation
Rangleley Lane (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

[Handwritten signature]

39
EXP. PROC.
APR 4 1956

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

^{JOSEPH} Mr. 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

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117950

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.

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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 P.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 P.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

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