

Eva Reich M.D.

**United States Court of Appeals
FOR THE FIRST CIRCUIT**

No. 5160

**WILHELM REICH, ET AL.,
DEFENDANTS-APPELLANTS,**

v.

**UNITED STATES OF AMERICA,
APPELLEE.**

**REPLY BRIEF FOR WILHELM REICH, M.D.,
APPELLANT,**

**CHIEF COUNSEL FOR
DISCOVERY OF COSMIC LIFE ENERGY**

Pro se

TABLE OF CONTENTS

	PAGE
Introductory Statement	1
Facts and Argument	1
CHARGE OF PERJURY AGAINST JOSEPH L. MAGUIRE AND PETER MILLS.....	1
A. Joseph L. Maguire Committed Perjury on the Witness Stand	1
B. Peter Mills Committed Perjury on the Witness Stand	11
Conclusion	19

APPENDIX

PRINCIPLES INVOLVED

1. On Free Men	1a
2. Ten Basic Principles of Truthful Conduct.....	1a
3. Principles of Good Government.....	2a
4. Common Principle of Basic Natural Science and Jurisprudence	5a
5. Disclosure of Motivation	6a
6. On Discovery of Life Energy	6a
7. Entering the Cosmic Age	8a
8. Outlook on Pre-Atomic Physics	10a
9. On the Enemy of Man	14a
10. On Laws Needed	16a

BATTLE FOR TRUTHFUL PROCEDURE OPERATION HIG

18a

LIST OF CITATIONS

Cases:

	PAGE
Berger v. United States, 295 U. S. 78, 55 S. Ct. 629, 79 L. Ed. 1314.....	4a
City of Little Rock v. United States, 103 Fed. 418, 424	4a
Read v. United States, 8 Cir., 42 Fed. 636.....	4a
State v. Shipman, 202 N. C. 518, 163 S. E. 657, 669.....	4a
Supervisors v. United States, 4 Wall 435, 446, 18 L. Ed. 419	4a
United States v. Ragen, 86 F. Supp. 382 (D. C. Ill).....	4a
United States v. Saunders, 124 F. 124 (8th Cir.).....	4a

Rules and Statutes:

Federal Rule of Criminal Procedure 12	5a
---	----

Others:

Record Appendix, Vol. I, "Atoms for Peace vs. The Hig"	7a
---	----

Introductory Statement

Court orders obtained by fraud and conspiracy are, as unlawful orders, null and void. The law requires orders to be lawful orders based on fact not opinion, on truth not on falsification of fact.

Facts and Argument

CHARGE OF PERJURY AGAINST JOSEPH L. MAGUIRE AND PETER MILLS

Joseph L. Maguire and Peter Mills have both committed perjury in addition to previous fraudulent deceit of U. S. Courts on the witness stand at the trial on May 5, 1956. The perjury concerns their knowledge of the content of the documentary compilation "Conspiracy" (Vol. No. 41) (abstracted in *Record Appendix, Vol. I*, Exhibit No. 4 for the Defense "The Red Thread of a Conspiracy"). This compilation contains documentary proof of treason against the U. S. A.

The accuser continues in his Brief to deceive the Court.

A. Joseph L. Maguire Committed Perjury on the Witness Stand.

1. Joseph Maguire denied under oath on the witness stand knowledge of the "Conspiracy" document.

2. Witness Ilse Ollendorff testified that he had been in possession of Vol. No. 41 of "Conspiracy" while interrogating her.

3. Knowing the content of the "Conspiracy," Vol. No. 41, he also knew that he had received it from Secretary of Health, Education and Welfare, Oveta Culp Hobby, to whom it was sent on September 1, 1954, in full reliance on the integrity of the Health Department of the U. S. Government.

4. Joseph Maguire deceived the Health Department when he used this volume for his own information only, and not as information for the U. S. Public on the matters contained therein.

5. Having had knowledge of Vol. No. 41 of "Conspiracy," the social administrator, Joseph Maguire, knew well the following of its contents, among others:

(a) The documents concerning the Red Fascist conspiracy in the U. S. A., including the attack upon the Discovery of the Life Energy. (See *Record Appendix, Vol. I, "The Red Thread of a Conspiracy."*) Maguire kept silent before the Court.

(b) The people who were involved in the conspiracy.

(c) The search for information on WR's laboratory work and its invasion by tools of an espionage ring operating in the U. S. A.

(d) Information regarding the orgone energy motor and William Washington's involvement, 1948-49.

As a responsible U. S. citizen and as Chief Counsel for the Discovery of the Life Energy, I hereby charge Joseph Maguire, the legal counsel for the FDA, with perjury under oath in the service of espionage. Here is his testimony on May 5, 1956. It demonstrates clearly the techniques used to deceive the Court again by a pettifogging lawyer who knew well he had deceived the Court many times before:

(From *Record Appendix, Vol. II, Trial Record*, pp. 219-221. All emphasis by WR.)

JOSEPH MAGUIRE, a witness, having been first duly sworn, was examined and testified as follows:

Direct examination by Dr. Reich:

Dr. Reich: Mr. Maguire, you conducted the case against Orgone for how long,—since when did it begin?

Mr. Maguire: Well, in the first place, I have conducted no case.

Dr. Reich: Well, you have presented it?

Mr. Maguire: I have conducted no case against Orgone, at any time.

Dr. Reich: But you were the lawyer?

Mr. Mills: I object, Your Honor, as entirely irrelevant.

The Court: *I will allow it. I am going to give him a little more latitude than a lawyer would have.*

Dr. Reich: (*Shows book to the witness*) Can you identify this book, please?

Mr. Maguire: **I have never seen this book before.**

Dr. Reich: You say you have never seen this book before. On July 26, you had the same book in your hands, and you quoted from it. Would you kindly read the title of the book?

Mr. Maguire: "Wilhelm Reich, History of the Discovery of Life Energy—1942-1954."

Dr. Reich: Just read the title of the book, *that's all.*

The Court: *Read the title.*

Mr. Maguire: *Well, there is so much on here, I don't know what is the title.*

Dr. Reich: It is right here.

Mr. Maguire: Reading what Dr. Reich has pointed out to me, which is the title, and which is in rather small print, "*Conspiracy and Emotional Chain Reaction.*"

Dr. Reich: Have you ever had that in your hand?

Mr. Maguire: *I have had what might be a similar volume.*

Dr. Reich: *Similar or identical?*

Mr. Maguire: I can't answer that. The way the book is constructed, it is loose leaf and the pages can be withdrawn very readily.

Dr. Reich: Mr. Maguire, may I repeat my question? Did you see that book? **Did you ever have it in your hands on July 26—yes or no?**

The Court: He said he did not know.

Mr. Maguire: **No.**

The Court: **I can't receive that in evidence.**

Dr. Reich: *Did you ever see this pamphlet?*

Mr. Maguire: I have seen one similar to it.

Dr. Reich: Would you read the title, please?

Mr. Maguire: "Wilhelm Reich, Biographical Material—History of the Discovery of the Life Energy—Documentary Supplement No. 2—*The Red Thread of a Conspiracy.*"

Dr. Reich: Is that known to you?

Mr. Maguire: *Well, I said I have seen something or probably similar to this.*

Dr. Reich: Did you see this pamphlet?

Mr. Maguire: No, I didn't.

Dr. Reich: You never saw this pamphlet?

Mr. Maguire: No, I didn't.

Dr. Reich: The third one—this is the last one. Do you know this one? Here is the title. The same series?

Mr. Maguire: I don't understand what you mean.

Dr. Reich: Did you ever read it or have it in your hands? Are you acquainted with this title? Would you please read it?

Mr. Maguire: Did I have this pamphlet in my hands?

Dr. Reich: Not this one.

Mr. Maguire: I have seen and had one in my hands, I presume.

Dr. Reich: With the same title. Would you read the title?

Mr. Maguire: "Atoms for Peace vs The Hig."

Dr. Reich: Did you read it?

Mr. Maguire: *I think I read that one.*

Dr. Reich: You think you read it?

Mr. Maguire: Yes.

Dr. Reich: I offer this as an Exhibit now.

Mr. Mills: I object. It is irrelevant and immaterial.

The Court: **Are these books covered by the Decree?**

Mr. Mills: **I believe so.**

The Court: **All right I will admit them.**

Mr. Maguire: **May I make a statement? That book is not covered by the Decree.**

His own witness, Ilse Ollendorff, revealed on the witness stand the identity of the Vol. #41 of "Conspiracy" from which he had quoted during her examination, and which had been sent to the Secretary of Health, Education and Welfare:

(From Record Appendix, Vol. II, Trial Record,
pp. 241-245)

ILSE OLLENDORFF, a witness, called by and on behalf of the respondents, first being duly sworn, was examined and testified as follows:

Direct examination by Dr. Reich:

Dr. Reich: Miss Ollendorff, I shall not ask any questions as to identification since we know who you are. *Do you know this volume? (Shows document to witness) (Conspiracy—WR)*

Miss Ollendorff: Yes.

Dr. Reich: Will you tell the jury what that is, please?

Miss Ollendorff: This is a volume of photostated copies of original letters and newspaper clippings that I helped to collect during the time I was an employee of the Foundation. It was collected in a *loose leaf* binder like that.

Dr. Reich: When was that material collected? When was it done, exactly?

Miss Ollendorff: I was there at the time. Part of the material was contained in the files and records that I kept, and it was collected *in the present order after the injunction was filed.*

Dr. Reich: Will you please tell the jury why this material was collected?

The Court: *I don't think we are interested in why it was collected.*

Dr. Reich: Will you please read the title?

Miss Ollendorff: **"Conspiracy and Emotional Chain Reaction."**

Dr. Reich: Will you tell the jury whether you saw this volume here in the hands of Mr. Maguire Tuesday? (May 1, 1956—WR)

Miss Ollendorff: I saw a volume of this material. It was a limited edition, No. 41.

Dr. Reich: Of this volume?

Miss Ollendorff: Of this material in Mr. Maguire's office on Tuesday.

The Court: This is of this year?

Miss Ollendorff: Yes, when I was called again to identify some of the material from the bookkeeping records.

Dr. Reich: Will you please tell the jury how it came about that I brought that here?

Miss Ollendorff: You showed me a document, a statement, that I gave as a witness before, and you asked me if I was aware of what this document contained in this volume. I said I was not sure of it. I knew that I wrote that document but I took your word that it was in this volume because it would be one of the documents that would be contained in this volume.

Dr. Reich: You are quite certain? You are under oath. Are you quite certain that the volume, which you saw in Mr. Maguire's hands and the volume I show you, are the same series, the same kind?

Miss Ollendorff: It is the same material.

Dr. Reich: Are you aware that Mr. Maguire had denied that?

Mr. Maguire: I certainly object to that. That is absolutely an incorrect statement. May I have the Court Reporter read the testimony back?

The Court: The jury will be the people to decide. The jury has heard your testimony, and now they have heard this testimony, and they will decide it.

Dr. Reich: May I repeat the question?

The Court: You may.

Dr. Reich: This morning, when Mr. Maguire was on the witness stand, I held up the same volume * * *

The Court: Let me put this question to you. It is your testimony that you saw that in the hands of Mr. Maguire, and whether it was about some statement of yours that was in there. Do you consider it inconsistent with his testimony this morning?

Miss Ollendorff: I consider it inconsistent and I was disturbed about it.

The Court: All right.

Dr. Reich: I have no more questions.

Cross examination by Mr. Maguire:

Mr. Maguire: You apparently was paying quite some attention to my testimony while I was on the stand?

Miss Ollendorff: Yes.

Mr. Maguire: Did you see Dr. Reich present to me the volume that he has just retrieved from you?

Miss Ollendorff: I don't know whether it was exactly the same volume but it was the same contents.

Mr. Maguire: Well, let us assume that it was the same volume that he presented to me and the same volume he just presented to you. Did you hear him ask me if I had ever seen that volume before?

Miss Ollendorff: Yes I heard him say that.

Mr. Maguire: Did you hear my answer?

Miss Ollendorff: Yes.

Mr. Maguire: Didn't you hear me tell him later that I had seen another volume that was apparently of the same contents as this, and did you see me open the cover? I said that it was the same and it was a loose leaf binder and you could open it up and it will fall out?

Miss Ollendorff: I did not hear that. I know you said it in regard to another pamphlet.

Mr. Maguire: I am going to show you what you have described as a limited edition, No. 41, and ask you if it is not the edition that I had with me when I discussed your testimony with you earlier this week, and you noted the number here, limited edition No. 41?

Miss Ollendorff: I think it was in the hard binder.

Mr. Maguire: You have seen me take the binder out?

Miss Ollendorff: Yes.

Mr. Maguire: Isn't it very easy to pull out portions of the contents of the binder?

Miss Ollendorff: It would be but I think, more or less, they are numbered in sequence.

Mr. Maguire: My question, isn't it easy to spread the binder out and remove the contents or a portion of the contents?

Miss Ollendorff: It would be easy to do that, but I do not see the purpose of it.

Mr. Maguire: No further questions.

AFFIDAVIT

October 22, 1956

This certifies, that according to the records of the Orgone Institute Press:

1. Copy No. 41 of "Conspiracy -- An Emotional Chain Reaction" was sent to Ovesta Oulp Hobby, Secretary, Department of Health, Education & Welfare, on September 1, 1954.
2. Copy No. 52 of the same publication was sent to Nelson D. Rockefeller, Jr., Asst. Secretary, Department of Health, Education & Welfare, on September 2, 1954.

Camille Thurston

Camille Thurston
Former Secretary, Orgone Institute Press

Michael Silver, M.D.

Michael Silver, M.D.
Former Supervisor, Orgone Institute Press

Notarisation:

Sworn to before me this

22nd day of October, 1956

Philip L. ...
PHILIP L. ...
Notary Public, State of New York
Qualified to take Oaths & Administer Oaths
Exp. Date ... 11/9/58

The food and drug agency continues to perpetrate deceit and fraudulent misrepresentation upon the Court. For example: In the accuser's Brief it carefully avoids explaining the misrepresentation at the trial of the Discoverer's financial affairs (See Brief for Michael Silvert, M.D., pp. 17-30).

Neither do the FDA representatives tell the Court the truth now regarding orgone energy accumulator distribution after the injunction. The deceit perpetrated here consists in mentioning the contributions that came in to the research laboratory, but suppressing the fact that no orgone energy accumulators were sent in interstate commerce during the injunction. The FDA thus misled the Court again, presenting payment of voluntary contributions after the injunction as proof of interstate distribution of orgone energy accumulators, which is fraud.

B. Peter Mills Committed Perjury on the Witness Stand.

1. Peter Mills denied under oath his extensive knowledge of the work of the Discoverer and of the social governmental implication of his extensive public services rendered to the Foundation. (See list of services of Peter Mills, Appendix to Brief for Wilhelm Reich, pp. 7r-16r.)

2. Peter Mills denied knowledge of the FDA activities against Orgonomy beginning 1947, and his presence at the Board of Trustees meeting of August 22, 1952, when FDA-Red Fascist relations were discussed. (See protocol of this meeting, Appendix to Brief for Wilhelm Reich, pp. 32r-33r.)

3. Peter Mills was thoroughly informed as the legal counsel of the Foundation, on Oranur, the severe financial losses at Orgonon due to the Oranur experiment, and of the information given to the Atomic Energy Commission on Oranur. (See record of this information, Appendix to Brief for Wilhelm Reich, pp. 35r-41r.)

4. Peter Mills cannot deny as he did on the witness stand that he had represented a fraudulent complaint for injunction and that he had represented the injunction based on such fraudulent complaint with full knowledge of the true nature of the work of the Discoverer of the Cosmic Life Energy. His testimony follows:

(From *Record Appendix, Vol. II, Trial Record*, pp. 233-240.)

Dr. Reich: Your Honor, I am not certain whether I can produce this material or not, and I would appreciate your advice. This is material to show that Mr. Mills had dealt with the methods pertinent to the injunction before the injunction was issued. May I offer that as an exhibit?

The Court: Let me see it.

Dr. Reich: *This is a list, a table of evidence of all activities of Mr. Mills in connection with this injunction.*

The Court: *You charge that Mr. Mills is biased or prejudiced against you?*

Dr. Reich: Yes.

The Court: And has been in his activities?

Dr. Reich: Yes, all along the line.

The Court: Well, you may question him on that score.

Dr. Reich: Right now?

The Court: Yes, you may ask him if those events occurred.

Dr. Reich: I don't understand the word 'charge'.

The Court: Well, I will say this: Unless you do charge him with bias or prejudice, I won't let you read those papers.

Dr. Reich: Yes, I charge him with bias and prejudice.

The Court: *Do I understand that you charge improper motives on his part in this prosecution?*

Dr. Reich: Yes.

The Court: All right.

PETER MILLS, a witness, called by and on behalf of the defendants, first being duly sworn, was examined and testified as follows:

Direct examination by Dr. Reich:

Dr. Reich: Here is the first Exhibit, Mr. Mills. This was taken from the records about your activities in connection with what you did for us. Mr. Mills, what is this?

Mr. Mills: This is a table of events from the records. What is your question, Doctor?

The Court: I presume, Mr. Mills, that all he means is this: To the best of your knowledge, is this a fair representation of your activities.

Dr. Reich: This is an abstract of our association?

Mr. Mills: I don't know.

Dr. Reich: Would you please inspect it?

Mr. Mills: I am presented, Your Honor, with an eight-page list of items and dates and I am in no position to verify or deny.

The Court: Do you have any reason to challenge any of it from your memory?

Mr. Mills: No, I have no reason to challenge it but I haven't any reason to confirm it either, Your Honor, as they are listed. I could state, generally, that I would try to be responsive to any questions that the examiner asks.

The Court: *They have a right to show the transactions. If we have to go through the books and take item by item, and you use the charts and books, I think you should check that this noontime and let us see if it is a fair and accurate representation.* He asked you if that is a fair representation of your activities in relation to the corporation.

Mr. Mills: Well, I am looking at the photograph, and it bears my signature, which I recognize as a statement, as a Notary Public, on August 11, 1947. I believe that was the first contact that I had with Dr. Reich. Dr. Reich

called at my office to have a Notary take a statement and I notarized that statement and I affixed my name on it.

Dr. Reich: There are dozens of them?

Mr. Mills: There was one other occasion.

The Court: I am going to ask you to hand that list to Mr. Mills and I am going to ask you during the recess to check, so far as you can, whether that is a fair representation of your activities.

(Recess 12:20-2:05)

MR. MILLS resumes the stand:

Dr. Reich: Mr. Mills, did you look through the material?

Mr. Mills: I did.

Dr. Reich: Is it authentic material in connection with your connection with Orgone Institute and the Wilhelm Reich Foundation?

Mr. Mills: I did not get the first few words?

Dr. Reich: *Is this material legal material which you have handled in your function as a counsel for the Foundation, for the Orgone Institute, and for many of its employees and directors?*

Mr. Mills: *It is not.*

The Court: Let me ask you this: Is that list a fair representation of activities in which you *were engaged in relation to the corporation or some of its subsidiaries?*

Mr. Mills: *It is not, Your Honor.*

Dr. Reich: Mr. Mills, have you been the counsel of the Corporation of the Wilhelm Reich Foundation? Did you incorporate the papers and sign all documents?

Mr. Mills: Part of your question I would say in the affirmative. *I was at one time counsel for the Corporation, and I was the attorney at the time it was incorporated.*

Dr. Reich: Did you act as counsel for the Corporation?

Mr. Mills: Yes.

Dr. Reich: That was in 1949?

Mr. Mills: I think 1950 or 1951.

Dr. Reich: The Wilhelm Reich Foundation was incorporated by you as a lawyer in 1949. Isn't that true?

Mr. Mills: *I was the attorney at the time of the incorporation.*

Dr. Reich: You partook in the meetings of the physicians who *constituted the board of trustees of the Wilhelm Reich Foundation?*

Mr. Mills: *Some of them.*

Dr. Reich: *But you were our counsellor, our attorney?*

Mr. Mills: *On some matters.*

Dr. Reich: Yes, on basic matters, some of our legal matters, from 1949 to 1952?

Mr. Mills: I believe that that is correct.

Dr. Reich: *That is about three years?*

Mr. Mills: Yes.

Dr. Reich: The documents which pertain to this service, that you *rendered, are in there?*

Mr. Mills: I couldn't say all of them are in there, but certainly *many of them are.*

Dr. Reich: Would you permit that I submit this material as evidence?

The Court: The question is: Does he agree that this material, which he identifies, substantially or partially, represents his transactions. Will you agree that that be put in evidence?

Mr. Mills: *I would not agree to agree or disagree. I would not from my review of it.*

Dr. Reich: My question was, do these documents pertain to your service as our counsel?

Mr. Mills: There is a great deal more in these documents that I have no knowledge of.

Dr. Reich: Would you agree to eliminate those which do not pertain to your service as counsel?

Mr. Mills: I would agree that many of these are. There are corporation papers here. There are many other things which certainly appear to be authentic.

Dr. Reich: For instance, one or two examples—one document there appears to be a notarization?

Mr. Mills: Yes.

Dr. Reich: Another notarization is a very important, crucial document pertaining to what we called Vacor Phenomenon. Do you remember that?

Mr. Mills: I do.

Dr. Reich: You do?

Mr. Mills: Yes.

Dr. Reich: The fact that I want to establish here is only one. You were for three years—for more than three years—a good friend of ours and a counselor?

Mr. Mills: That's correct. I was professionally, but not intimately.

Dr. Reich: There was some private contact?

Mr. Mills: Yes, a cup of coffee.

The Court: With cream and sugar in it?

Dr. Reich: That's right.

Dr. Reich: Now, Mr. Mills, the problem which is before us here, in this legal case—I think the Court will permit me, as a human being, to ask one central question which pertains to the Injunction since you are the counsel for the opponent.

Mr. Mills: Are you asking me a question or testifying?

Dr. Reich: I am leading up to my question. My question is now why you changed from our counsel to be the counsel for the opponents?

Dr. Reich: This problem, Your Honor, I submit to you to be admitted in Court.

The Court: Well, what is your question?

Dr. Reich: My question is, under the circumstances, what reasons, or what facts induced Mr. Mills after being our counsel for three years, and I regarded him as a good friend, to be our opponent's counsel, and the one to prosecute me and Dr. Silvert as criminals?

The Court: *That is a fair question if there is anything.*

Mr. Mills: The question is, what prompted me?

Dr. Reich: What made you change your mind?

Mr. Mills: *I have never changed my mind. I am not conscious of changing my mind.*

The Court: Wait a minute. The original question was *what prompted you to change sides.*

Mr. Mills: *I never changed sides.* I first made my connections, I believe, with you on *August 29, 1952. I never advised you on matters concerning the Pure Food and Drug Administration.* I did not read the law with respect to the Pure Food and Drug Administration. I did not know it had any application in this business. You did not advise me.

Dr. Reich: In 1952 you stopped being our counsel, and then in 1954—I think it is 1953, because we have information that the complaint was here in court for a long time, and you were the attorney for the opponent in 1952. Do you remember that in 1952 to put it correctly and legally, that you were present at a meeting with the Pure Food and Drug Administration * * *?

Mr. Mills: I do not.

The Court: Let him finish the question.

Dr. Reich: *You don't know?*

Mr. Mills: *That's right.*

Dr. Reich: You do not remember the meeting where the physicians were there in my study, in the Observatory?

The Mills: The only recollection I have with reference to the Pure Food and Drug Administration, in your connection, is one afternoon we were on the premises, you and I, and you said to me "*spies—The Pure Food and Drug Administration*" * * *"

Dr. Reich: I do not remember that, but do not interrogate me. I will ask you questions. You will have plenty of time to interrogate me later. I am sorry, but that was out of step. Are you convinced that I am trying to get out the truth here?

Mr. Mills: I presume so.

Dr. Reich: Will you agree with me also that it is the job and the task and the obligation of everyone to get out the truth?

Mr. Mills: I certainly do.

Dr. Reich: *You will certainly agree that the function of the District Attorney is not to prosecute by all means and to convict, but to find the truth? I will appreciate it if you will help to find the truth.*

Mr. Mills: *I certainly agree with you. I will try to help you.*

The Court: You are getting argumentative. *You have shown he was your counsel for three years. You can argue the rest of it when you argue your case, but I do not think you ought to pursue it any further.*

We wish to stop at this point, although the Archives of the Orgone Institute are filled with proof regarding the deceit perpetrated upon the Court.

Conclusion

We must set the principles of truthful conduct against the continued practices of pettifogging deceit in the service of evil and treason.

We must reiterate the basic principles of decent conduct against deliberate misrepresentation and outright fraud perpetrated on Courts of Justice.

We must adhere to and never let go of the principle which declares all judgments and orders null and void which were obtained by fraudulent misrepresentation of facts. (See Excerpts of Hearing, November 4, 1955, *Record Appendix*, Vol. IV, pp. 130a-153a, and *Record Appendix*, Vol. I, "Atoms for Peace vs. the Hig," pp. 17-36.)

The case should be dismissed and reopened again to procedures which will guarantee the absence of such deceit.

Respectfully submitted,

WILHELM REICH, M.D.
Chief Counsel for the
Discovery of Cosmic Life Energy

Pro se

APPENDIX

PRINCIPLES INVOLVED

*Love, Work and Knowledge
are the wellsprings of our Life
—They should also govern it.
They are neither “left” nor
“right,” but Forward directed.*

1. On Free Men

Free men refuse to yield under sentence of death what they are ready to yield of their own free will. Let us acknowledge this expression of freedom as one of the basic characteristics of free people. (Brief for Wilhelm Reich, M.D., p. 20.)*

2. Ten Basic Principles of Truthful Conduct in Both Basic Research and Jurisprudence

- (1) Battle for Truthful Procedure.
- (2) Jury must render verdict fully informed.
- (3) There are no authorities on new knowledge, that is “Knowledge of the Future.”
- (4) Government must not interfere with basic research.
- (5) Scientific literature must not be ever impounded or burned.

* Briefs for Wilhelm Reich, M.D., Michael Silvert, M.D., and The Wilhelm Reich Foundation are from Case 5160, Wilhelm Reich, et al., v. U. S. A.

- (6) Non-appearance in Court as self-defense against fraudulent complaints is a lawful means to avoid legal entrapment by master connivers.
- (7) Bona fide scientists must not be dragged into Court to be harassed to death by competitive commercial or political interests.
- (8) Disclosure of scientific information, especially if secret, must not be forced by Court action or by administrative invasion of property and records. There are peaceful ways via conference and agreement.
- (9) New knowledge requires new administrative laws.
- (10) Judicial errors must be realized and corrected. They must not be perpetuated. (Brief for WR,* pp. 1-2.)

3. Principles of Good Government

On Lawfulness of Laws: Government must never arrogate to itself the right to decide what is and what is not Knowledge of the Future. Government must not falsify facts in presentations to the Court in order to usurp such authority. We do not wish to be governed nor do we wish our civil affairs to be administered by impertinent administrators.

"The dignity and authority of the court must be guarded against disobedience of its orders; its laws, even if they are not statutory laws, must be obeyed." [In Charge to Jury of Trial Court, Case U. S. A. vs. Wilhelm Reich et al.] True, very true. **But the orders themselves must be LAWFUL orders or be based on statutory laws.** The courts are guarding over their dignity best by not permitting deceit of the court as was done in this case to happen at all. (Brief for WR, p. 48.)

* Wilhelm Reich.

On Procedure and Law: If procedure is so designed that it kills truth and fact, then procedure, and not factual truth, must yield to revision.

If law is practiced in such a manner that quite obviously to everyone, the guilty one goes free and the innocent and decent one faces imprisonment, then the law practice must be changed as quickly and as radically as possible.

These are the ABC's of justice, obvious a priori. (Brief for WR, p. 49.)

On Responsibility of Science and Medicine: It is the duty of courts of justice to guard over the dignity of the court and against the abuse of privileges of freedom of action and speech. However, scientists and medical men in high position have the terse duty to watch over the independence of scientific inquiry into the laws of nature from any interference whatsoever, especially from ignorance, arrogance, prejudice, political or commercial interests. Science meets with jurisprudence at the very roots of man's existence in fact, reason and functional logic. Let us not, however, neglect those common roots. We have painfully learned what replacement of such principles by arbitrary interference has done to destroy security and human happiness. (Brief for WR, p. 49.)

On Security of Natural Science: It is crucial to demonstrate the principle of security of basic research. The very security of Natural Science is in question. (Brief for WR, p. 49.)

On Duties of Public Officials:

(a) "A prosecutor is supposed to be an impartial representative of public justice * * *. A society cannot suppress lawlessness by an accused through the means of lawlessness of the prosecution. A society cannot inspire re-

spect for the law by withholding its protection from those accused of crimes. It was and is the prosecuting attorney's duty to assist in giving a fair trial to a defendant." *Read v. United States*, 8 Cir., 42 Fed. 636; *Berger v. United States*, 295 U. S. 78, 55 S. Ct. 629, 79 L. Ed. 1314.

(b) "A prosecutor must, to be fair, not only use the evidence against the criminal, but must not willingly ignore that which is in an accused's favor. It is repugnant to the concept of due process that a prosecutor introduce everything in his favor and ignore anything which may exonerate the accused for the crime with which he is charged."

(c) "Corruption is an act of an official or fiduciary person who wrongfully acts contrary to duty and to the rights of others. *State v. Shipman*, 202 N. C. 518, 163 S. E. 657, 669. Its effect vitiates the basic integrity and purity negating that which is vital to the due course of justice."

(a), (b) and (c) cited from *United States v. Ragen*, 86 F. Supp. 382 (D. C. Ill.).

(d) It is no defense on the part of the prosecution to the charge of suppression of evidence and fraud that the defendants did not appear to contest the entry of the decree. Such an argument might be made by a private litigant, but certainly cannot be set up by public officials. In *United States v. Saunders*, 124 F. 124 (8th Cir.), Circuit Judge Sanborn stated at page 126:

(e) "Whatever public officials are empowered to do for the benefit of private citizens, the law makes it their duty to perform whenever public interests or individual rights call for the performance of that duty. *Supervisors v. United States*, 4 Wall 435, 446, 18 L. Ed. 419; *City of Little Rock v. United States*, 103 Fed. 418, 424."

(f) The public officials who prosecuted the action for a civil injunction were required not to impose upon the court by suppression of evidence and bad faith. This rule

of adhering to fair dealing and lack of fraud on the part of public officials has been applied mainly in criminal cases.

(g) The appellants in the case at bar and the defendants in the main action had the absolute right to rely on their respect for American institutions and their knowledge that the prosecutors could not honestly prove the allegations of the complaint. They had the absolute right to rely on the cloak of purity which surrounds public officials and the presumption they will perform their duty honestly.

When that cloak has been used to defraud a court for the purpose of making it seem it has jurisdiction in a case where none exists, the court should set the entire proceeding aside under Federal Rule of Criminal Procedure 12. [(a) to (g) from Haydon, Brief for The Wilhelm Reich Foundation, pp. 8-10.]

4. Common Principle of Basic Natural Science and Jurisprudence

The following is a self-evident truth in natural science and its derivative, the judicial common law: *Results obtained by unlawful means are themselves unlawful*, invalid in the technical sense of jurisdiction. The legal profession adheres to these basic self-evident principles of all jurisdiction, since it does not wish to forsake the very foundations of the administration of justice. Conscious, systematic deviation from this principle constitutes the "shyster," defined in Webster's dictionary and in the Encyclopedia Britannica as the "pettifogging lawyer." (WR in Brief for Michael Silvert, M.D., p. 10.)

The court whose jurisdiction is attacked for fraud upon it or for any other cause, must itself, make the inquiry and determination. The question is not whether the Court decided rightly or wrongly, but whether it ever became the duty of the Court to decide at all. (Haydon, Brief for The Wilhelm Reich Foundation, pp. 10-11.)

5. Disclosure of Motivation

The *kind of appearance* discloses automatically the motive and the nature of action. And the motive of action discloses again automatically the purpose of action. It is a priori obvious, what a person was up to, if his entry through a window in the dark of night is secured. The judgment of the action follows from this behavior "a priori," as it were.

The thief reveals himself as does the potential murderer through the manner in which he enters a home. (WR in Brief for Michael Silvert, M.D., p. 10.)

6. On Discovery of Life Energy

(a) *On Oranur Medicine*: Disease is basically no more than the pathogenetic effect of Life Energy gone stale in various forms and phases according to the organ where it happens. Disease can therefore be "drawn out from the organism," as it were, via the Medical DOR-Buster. This principle was well applied to the old type of medicine which used the wet compress, diuretics, laxatives, blood transfusions, etc.

By drawing dead or deadly life energy from the diseased organ, an entirely new principle of medicine, incalculable in its potentialities, is being practiced.

(b) All disease is basically *DOR sickness*. It will be fought at the very roots of disease: by removal of DOR from both atmosphere and organism. Since bacterial or infectious diseases are end results of decaying life, the medical axe is thus also put to the roots of the known diseases of classical medicine.

(c) *On Classical Medicine*: Oranur Medicine is not in disagreement with or antagonistic to classical medicine. On the contrary: It fills the classical concepts of "disease" with a concrete meaning by introducing tangible facts of "Disposition to Disease." The animosity expressed toward Oranur Medicine is not emerging from factual scientific principles, but from commercialized interests in a mass production and sale of artificial drugs and adulterated foods.

(d) *On Orene*: Orene plus mass emerges from atmospheric OR energy, which is a massfree function of the cosmic energy. The planet is in constant metabolic exchange with the energy system of the universe. The so-called galactic and the equatorial OR energy streams are the practically limitless sources of Orene, of Life Energy. Orene is the formative life principle per se. (Brief for WR, pp. 28-29.)

(e) *On Oranur*: 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. (Record Appendix, Vol. I, "Atoms for Peace vs. The Hig," p. 15.)

7. Entering the Cosmic Age

(a) *My Pledge, 1920, and Dilemma, 1956*: As a young student of medicine, early in 1920, embarked on the study of natural philosophy, I was impressed by mistakes made by scientists in old age. It was then that I pledged myself to stop publishing scientific information once I reach the age of 60 (March 24, 1957). The best, then, I could do, so I reasoned with myself, would be to live as straight as I could continue to do under the given circumstances. Then let my fellow men decide for themselves what they wished to do with my way of life: imitate it, emulate it, ignore it, or punish me for it by imprisonment for two years. However, I was firmly resolved not to yield to any power on earth in what I called "*my way of life*," which was to be a life of dedication to knowledge, truth, work and love; to be rather killed than yield to principles other than those enumerated. I would have shaken my head in disbelief had anybody told me at that time that I would actually have to face extinction of my life, work and honor in 1954. I succeeded in discovering the primordial cosmic energy, with it the Life Energy on our planet, and this was my ill fate. The "Pledge" still holds. It has been vindicated:

Having become responsible to a certain extent for the outcome of the present struggle of mankind for cleanliness, clarity and self-preservation in the cosmic DOR emergency, I am facing the dilemma between my pledge of 36 years ago to stop advising mankind at 60 and the new fact that the discovery of the Cosmic Life Energy seems persistently to become the pivot on which the turn of the age hinges: The turn from the passing age of Mechanism and Mysticism to the functional **Cosmic Age**.

(b) *On Foundation of Cosmic Age*: The Cosmic Age seems to develop from two basic foundations: The restructuring of the Human Character in newborn ones and

the entering into our lives of a technology of the primal, massfree, cosmic energy that fills the universe.

(c) *On Threat to Human Race*: Mankind is facing the most crucial, most dangerous development in its history: The planet on which we live and breed our race together with other living species is being visited, so many reliable observers, including myself, say, by living beings from outer space. These beings are superior technologically to ourselves in the use of motor force, speed, in nearly everything, including intelligence. They have conquered the pull of gravity that keeps us down to earth.

We are approaching crossroads in our existence, in every type of existence, excluding none. Upon our timely and correct decision will depend the fate of our future existence: whether we shall continue to exist at all or shall vanish forever, leaving only a dead planet behind, like the moon which is covered with white ORITE.

(d) *Crossroads Ahead*: We are approaching crossroads of sound versus cowardly judgment in Science, Technology, Religion, Education, Social Administration, and—last but not least—in everyday personal behavior. Survival in good form will depend on how well we manage to read and to pass by the many confusing road signs. And let us not be mistaken: Confusion is the uppermost objective of the old road signs. Let us with Nietzsche's Zarathustra put up *new* road signs.

(e) *On Everybody's Responsibility*: Something strong, true and pregnant with future knowledge will take charge if we are to emerge from those crossroads ahead alive and whole. The responsibility is Everybody's. There are "Fuehrers" no longer. They perished with their age. Everybody, without exception, is on trial. Everybody has been found guilty by the Highest Court, **Life**, of gross neglect of duty to Truth and its offspring; of treason to **The Living**. Only a few good guides as in old pioneering times of 1492 or of 1770 have remained. (Brief for WR, pp. 31-34.)

8. Outlook on Pre-Atomic Physics

Science: All human existence rests on some kind of knowledge, no matter how primitive or incomplete; our future, with the past dead, will rest on a *new* kind of knowledge. The present battle raging in the U. S. A. between the commercial forces of "atomic" chemistry and the embryonic knowledge of "pre-atomic," (primordial, massfree) cosmic energy is a part of the dilemma with regard to which road ahead to take: the atomic or the pre-atomic one, or, as in Oranur, a combination of both. Are matter and mass the primary constituents of the Universe, as the mechanico-mystical view demands? Or, is massfree energy before matter the primary source of Existence? "Matter," "Particle," thus are reduced to secondary natural functions in our existence. They will no longer rule our lives. And with the "particle" or "atomic," i.e., chemical view of life, also the rule of chemistry monopolies, artificial drugs, unnatural adulterated foods, noisy, smoky motors will end, never to return. Those who kept the Enemy of Man going hard against organomy know that this is the fate awaiting them.

The battle between the material atom and the massfree orgone energy unit in the cosmic energy ocean has been raging for quite a while, subterraneously since about 1924, openly since 1937. There can be little doubt as to the outcome, who is the stronger power and who will win. Will mankind realize this and practice it in its institutions, laboratories, courts, legal decisions, administrative regulations to the fullest extent possible as soon as possible? Before we reach the crossroads ahead, we must have made up our minds in the right, not the wrong direction.

Technology: The **OR-Motor** was the first step in the technological development toward noiseless, smokeless, smooth-functioning locomotor machines of the future. In-

evitably, the **Cosmic Energy Motor** will replace the steam engine and the electrical motor. It will be fed by the practically limitless power resources contained in the Cosmic Orgone Energy Ocean. It will be the motor that will carry our Space Ships into vastnesses as yet unimaginable. This motor will finally and irretrievably free man from the so very futile effort of overcoming gravity by way of mechanical thrust, the jet-engine-type of motor function. Both mechanical gravity, theoretical gravity and the machine to carry its own gravity field with itself, the Cosmic Energy Field will be ours in a not too far remote future.

The Cosmic Energy Motor will be the lever which will turn our present civilization into that of the coming *Cosmic Age*. The **Cloudbuster** and the **Spacegun** are the twin brothers of the OR motor. The Cloudbuster rests on the principle of the "Organomic Potential" from low to high and on the affinity of cosmic energy to water, its "thirst." It is the device that will basically be used in shifting and changing Cosmic Energy potentials, in destroying and creating clouds, in drawing in energy from the cosmic (galactic) energy streams of the universe (see "Space Ships, DOR and Drought," 1954), in the coming utilization of these streams as thoroughfares for the space ships, as it were. (Brief for WR, pp. 34, 26, 27.)

Space and Gravity: The discovery of the Cosmic Life Energy will inevitably lead toward the mastery of *gravity*. Gravity within the confines of our planetary atmosphere, i.e., mass attraction in accordance with the laws of Newton will be practically mastered, as electricity or magnetism today. The technological mastery of *positive* gravity will further lead to the elaboration of tools which will open up the vast field of *negative* gravity or *counter-gravity*, already known today in a theoretical organometric manner. A point will be reached in human knowledge regarding the

gravity function where *positive* and *negative* gravity functions will balance each other; in other words, technologically speaking, where "*Hovering*" in the field of gravity of our planet will be made practically possible without the use of mechanical force.

From the functions of negative and neutralized gravity a logical path of research will lead into the technological problems of *Space Travel*, inevitably, just as the discovery of galvanic electricity led to today's electric motor.

The appearance of visitors from outer space, superior to us technologically, forces point-blank, off-the-bat action with regard to our mechanistic scientists **before** we reach the crossroads ahead and not while we are passing through the tangle: the mechanistic physicist, astronomer and biologist will needs have to realize the change and resign or he will integrate his work within the valid realm of mechanistic thinking, into the total effort of humanity to conquer outer space.

It is necessary to clean up the field of operations regarding space technology before we approach the task itself. Otherwise, to judge from past experiences, we shall be crushed to pulp by those who obstruct our efforts by every means available, in terror of their emotions and orgonomic realities from mere biopathic reasons.

"*Authorities*": There are *no Authorities in New Realms of Basic Research*. The mechanistic mind is not only not trained to think functionally; the mechanistic mind thinks contrary to most basic qualities of the primal cosmic energy. This is the reason why the mechanico-chemistic mind had so consistently and accurately bypassed the existence of this energy in the universe; it is also the reason why it had used the most elaborate methods of evasion, interpreting away, laughing or slandering away all manifestations of the massfree cosmic energy.

This is a *survey of space problems*:

- A. The earth planet has been invaded by a powerful intruder from outer space.
- B. The mechanistic physicists are incapable of coping with the problem. Earth's scientists are not equipped methodically or factually to understand how craft can travel through "empty" space with such speed and efficiency. Mechanistic, classical physics knows nothing of the Primal Cosmic Energy.
- C. Frightened and confused, some present-day mechanistic scientists obstruct rational progress in this matter by ridicule, persecution, shabby means of argumentation, cowardly gossip behind the back, slander and outright threat of putting the pioneers of the Cosmic Age into penitentiaries or lunatic asylums.
- D. The so-called ordinary people seem to know the truth or want to know it; but as usual in such struggles it stands by passively, either admiring the pioneers helplessly or supporting the slander of good work by The Enemy of Man. However, their sympathy seems in general to be on the side of the development forward. (Brief for WR, pp. 25, 34, 37, 38.)

9. On the Enemy of Man

Murder by Proxy: The techniques employed by Stalin-Hitler Principles in attempted murder by proxy consist of the following:

- (1) Paralysis of the victim through an assault based on an "incredible lie," according to the well-known Hitlerian principle, "The bigger the lie, the easier it will penetrate and be accepted": "Orgone Energy, UFOs, Cosmic Energy *do not exist.*"
- (2) Conniving, Conspiring and Confusing (CCC) the legal environment of the victim.
- (3) Invading completely the victim's personal and social existence without his consent or knowledge.
- (4) Relying on the reluctance of ordinary people to get into trouble while hiding their own little secrets themselves.
- (5) Using others, mostly biopathic individuals in psychiatric care, to carry out their conniving, conspiratorial activities.
- (6) Accusing the victim of the very crimes the killer has himself committed: Contempt of Court; Fraud.
- (7) Obtaining the consent of the victim in major operations designed to kill him.
- (8) Letting the victim carry the expenses for the CCC acts. The U. S. public has paid to the Black-Red Fascist combine all expenses of the assault.
- (9) Letting the victim confess to a crime never committed.

- (10) The goal: Harassment, Confusion and Paralysis before the final kill is delegated to somebody else and is executed by proxy.
- (11) Making organized murder appear as suicide. (Beria's method of harassment into insanity or suicide a la Masaryk.)

It does not matter whether the single particular agent of *Treason to Mankind* is aware of his or her role or not. Consciousness of such functions is not necessary to its efficient fulfillment. On the contrary: The less conscious the conspirators, the better the purpose of espionage is served. (WR in Brief for Michael Silvert, pp. 7-9.)

The Enemy of Man never succeeded in eradicating the structural knowledge in man of the Life Energy, and he knew it. The fight of the mechanistic Enemy of Man against functional natural research simply refused to accept proof. Their present catastrophic predicament in the interpretation of the planetary emergency is of their own design and making. There was no amount of proof, no degree in accuracy of observation, and no limit in the exactness of presentation of facts that would have convinced the mechanist whose emotions were set against any proof like the hindlegs of a stubborn mule against the ground. (Brief for WR, p. 36.)

10. On Laws Needed for the Protection of LIFE IN NEWBORNS and of TRUTH

(From Wilhelm Reich: "The Murder of Christ," 1951,
given to Judge Sweeney on May 7th, 1956.)

A careful study of the realm of social pathology reveals the fact that there exists no law in the U. S. A. which would directly protect factual truth against underhanded lie and attack motivated by irrational interests. Truth is at present at the mercy of chance. It depends entirely on whether a law officer is personally honest or dishonest, emotionally rational or irrational, subjectively inclined toward or against factual functions. It is most difficult to operate as a pioneer in new fields of human endeavor, if any emotionally sick individual anywhere on the social scene can—unhampered—destroy work or knowledge he dislikes, and if truth is in no position to defend itself against underhanded attack. It is obvious that the future of the U. S. A. and the world at large depends on the rational upbringing of the newborns in each generation which will enable them to make rational decisions as grown-ups. (See Wilhelm Reich: *Children of the Future*, OEB,* October, 1951.) There do not exist any laws as yet to protect newborns against harm inflicted upon them by emotionally sick mothers and other sick individuals. However, there are many old laws rendered obsolete long ago by progress in the understanding of the biology of man, which threaten progressive educators with extinction if they transgress technically these old laws. These facts, together with the operation on the social scene of emotionally sick individuals, block progress and the search for better ways in medicine and education. Although laws which are serving the welfare of people at large can never accomplish factual changes, life affirmative laws can protect those who strive

* Orgone Energy Bulletin.

practically for betterment of the fate of humanity. Therefore, two laws, one to protect **Life in Newborns**, and a second to protect **Truth** against underhanded attacks (beyond the scope of libel laws which are not suited for this purpose), should be studied and formulated by legislatures, institutions of learning and foundations whose work is primarily devoted to securing human welfare and happiness.

To illustrate: Truthful and thorough investigation of natural love life in children and adolescents, one of the most crucial tasks in present day mental hygiene, is held up and rendered helpless by the single fact that any biopathic individual who himself has been emotionally warped in childhood or adolescence through frustration of his needs for love, is in a position to put in a complaint to an Attorney General's Office to the effect that those who investigate the subject of love life in childhood and adolescence, and make certain suggestions as to its solution, are committing a crime, the crime of "seduction of minors." If the attorney happens to agree emotionally with the complainant, the investigation of fact is completely at the mercy of chance. There exists, according to rich experience in actual situations, no provision on the statute books to prosecute the biopathic individual on the basis that his motivation is not truth-seeking, or helping children or adolescents, but only hate of such scientific procedures. The motivation of an accusation should always be taken into consideration, just as the motive for a murder is taken into consideration.

This example must suffice to illustrate the situation. The Archives of the Orgone Institute contain enough factual evidence to prove that the situation is bad indeed where pioneering efforts are burdened with the rather hopeless struggle with such irrationalism in addition to the factual difficulties entailed in the pioneering job.

(This is the text of a proposal made to the Congress of the U. S. A. in November, 1952 by The Wilhelm Reich Foundation.)

THE BATTLE FOR TRUTHFUL PROCEDURE OPERATION HIG

Declaration to the Court on April 30th, 1956 (sent by registered mail to Judge Sweeney, April 25, 1956)

by Wilhelm Reich, M.D.

Counsel for Discovery of Life Energy, EPPO

The following is a brief survey of the reasons why I again must refuse to appear in Court. **We are not taking orders from Moskau-directed Higs.** I have received no formally correct, signed order to appear. This is only a supplement to documents brought previously to the attention of acting judges.

The world is facing today this hideous monument in history to human cowardice: A psychopathic hoodlum in government, a Stalin HIG, denounced by his own assistants in mass murders, was able to hold the world in agony for thirty years. About thirty years ago I began to introduce a new problem into sociology and mass psychology: *No one had ever asked the question* how it is possible that millions of decent, hard-working people are unable to shake off a few murderous HIGs?

The answer sounded back from the stage of the world over the decades: The HIGs cannot be shaken off because people are helpless, confused, cannot formulate their thoughts and keep spitefully silent. *They know, but they do not say what they know is true.* If they spoke what they know to be true, the world could be saved from tyranny forever. As it is, the people themselves are supporting the HIGs by silence, tolerance and even by active protection as is the case at present on the English scene.

I wish to give a single, simple example, taken from a mass of similar factual evidence, to show how one single

HIG has succeeded in the case before the Court to entangle and paralyze several scientists, physicians, workers in various fields, judges, law personnel; how he was able to harass life important work against desert development in nature as well as in the human soul for a decade in the U.S.A. Evidence to this effect has been amply submitted in various publications and writings, without success so far, since American Law Officers are entangled, and with them the nation and the world, in legalistic, procedural ropes choking the truthful fact to death. Not only in the case of "HIG vs. Wilhelm Reich", but everywhere.

One example of conniving and paralyzing confusion from the history of this case: October 10th, 1955

On October 10th, 1955, a legal order was signed by Judge Clifford in First District Court in Portland, Maine, titled "ORDER Granting Motion To Amend Information." It reads as follows:

Order Granting Motion to Amend Information

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE—SOUTHERN DIVISION

Criminal No. 5003

 UNITED STATES OF AMERICA

vs.

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

Motion having been made by the United States of America to be allowed to amend its Information and Application in the above criminal contempt action, hearing having been had thereon, and

Said Motion to Amend the Information and Application having been allowed in open court, and

Following the allowance of said motion, counsel having consented to the filing of an amended Information and Application in lieu of the original Information and the amendments:

IT IS HEREBY ORDERED that the amended Information and Application be accepted and filed and that the defendants be ordered to appear at 2:00 P.M. on October 18, 1955, for arraignment.

IT IS FURTHER ORDERED that service of the Information and Application be made upon the defendants or their attorneys of record, by service of a copy thereof and of a copy of this order, either in hand, or by leaving same at their last and usual place of business or residence.

Dated at Portland, Maine, this 10th day of October, 1955.

/s/ John D. Clifford, Jr.
 Judge, United States District Court
 for the District of Maine

A true copy of original filed October 10, 1955

Attest:

/s/ Morris Cox
 Morris Cox, Clerk

Order to Show Cause in Criminal Contempt

(Refer to Record Appendix, Vol. IV, page 88a.)

The motion to amend the information was made by the HIGs after a preceding hearing July 26, 1955, in Portland Court with defendants having been ordered to appear. At this hearing WR was granted permission to present his side of the story. This presentation was to be recorded, but it later turned out that "by mistake" the speech by WR had not been recorded. WHY NOT?

My presentation seemed to have turned the table on the HIG since they had to construct a new order to re-arraign me with Dr. Silvert. The July 26th hearing had been preceded by a denial by Supreme Court Justice Frankfurter of the Stay of Injunction granted previously by Judge Clifford. It had also been preceded by dangerous subversive events at Orgonon during the first weeks of the same month, not to be presented at this point.

The Order of October 10th was not an order to appear; it was only an order to file the amended information and to serve this information duly to the defendants. The order to appear in Court referred to October 18th, 1955. The document of October 10th was an "order to order" to appear.

However, the following strange thing happened:

WR received a letter from his Boston lawyer, Mr. James St. Clair, dated October 3, 1955, i.e., *full seven days BEFORE the order to order appearance on October 18th was signed by Judge Clifford on October 10th, 1955.*

Text of letter by St. Clair of October 3, 1955:

October 3, 1955

Dr. Wilhelm Reich
Argone 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,

/s/ James D. St. Clair

Thus my lawyer informed me to appear on *October 10th* to be re-arraigned at a time when the judge had just ordered it for the 18th. In addition to this "little error" a dangerous little "innocent mistake" had crept into a crucial legal document to the effect that motions to "dismiss *and* to arrange for a trial date" were to be made on October 10th.

* Italics by WR.

The Order signed by Judge Clifford contained the same "little mistake" clearly engineered by the master HIG; the "mistake" in an official document was full of consequences: It entangled the court-procedure. I pointed this mistake out to the lawyers in a meeting of physicians preceding the July 26th hearing, regarding the same formulation in an order of July 15th. It ordered the defendants to "*show cause why they should not be held in contempt of court*" and at the same time, *had already decided* that trial date should be set. The legal rule to show cause why no contempt of Court was committed *intends to free the accused*. The order to set a trial date *before* decision on the show-cause privilege cancelled illogically the privilege granted by the law which protects the citizen against unlawful abuse of law procedure, as was done by the HIG who engineered the October 10th events.

The planted "mistake," and instead of **OR** between "dismissal" and "trial" appeared again in a letter by the Clerk of the Court, Mr. Cox, of October 20, two days after the hearing October 18th. Judge Clifford acknowledged the mistake of substituting *And* for *Or* in a telephone call on October 20th. This confirmation of the mistake by Judge Clifford was later written into a motion for the hearing on November 4, 1955, but was taken out again in deference and discretion for Judge Clifford, a proper but dangerous courtesy. Witness to this is the Clerk of the Wilhelm Reich Foundation, William Moise. One motion by myself at the hearing of November 4 brought forth the confusion of *And* instead of *Or* and the meaning of the Law, "to show cause."

Letter of October 20th, 1955

October 20, 1955

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

Dear Dr. Reich:

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

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

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

Very truly yours,

/s/ Morris Cox
Morris Cox, Clerk

MC/es

* Italics by WR. Again effect of *and* instead of *or*.

My lawyer, Mr. St. Clair, also confirmed the error, the "little insignificant mistake" engineered in the background, in a letter dated October 26th:

October 26, 1955

Dear Dr. Reich:

In reference to your inquiry concerning the meaning of my letter of October 3, 1955, I am afraid I do not see clearly the point of your inquiry.

As I understand it, you took the word "and" to mean "or", to which I agreed.

I trust this meets with your satisfaction.

Very truly yours,

/s/ James D. St. Clair

But let us now return to the mysterious events centered upon October 10th, 1955. *Summary so far:*

October 10th, 1955: Judge Clifford signs order to order to appear 10/18th.

October 10th, 1955: My own lawyer had told me to appear on that day, 10/10th.

Who had engineered the "little, innocent, confusing mistake", acknowledged as such by Judge Clifford and Counsel St. Clair? It is the essence of a confusing, paralyzing conspiracy that one never is certain of anything. But: How does one know for certain that a skunk is around? By the unmistakable B.O.

**Confusion Regarding Supreme Court Decision Not to Hear
Petition by Physicians to Intervene, Reached
October 10th, 1955**

The "Amended Information" and order to appear on October 18th for hearing in Portland Court was brought to me in person by Deputy U. S. Marshal Doherty on October 13th, about 11 hrs., 1955.

A special inquiry with the Clerk of the Supreme Court in Washington, D. C., Mr. Harold B. Wiley on October 13th is as follows:

Telegram to Clerk of Supreme Court

57 3 EXTRA RANG 99 3.14 RANGELEY ME
OCT 13 413P

COPY

WESTERN UNION TEL CO
/s/ A P Hodgkins Mgr

HAROLD B WILEY CLERK
US SUPREME COURT WASHDC

IN FACE OF CRIMINAL CONSPIRACY RAMPANT ON
SOCIAL SCENE PLEASE INFORM WIRE PREPAID DECISION
DATE DOCUMENT NUMBER OF ALLEGED SUPREME COURT
HEARING RE ORGONE ENERGY DISCOVERY INJUNCTION
INTERVENTION BY DOCTORS BAKER AND ASSOCIATES
REPRESENTED BY ATTORNEY HAYDON NEW YORK
ALLEGEDLY HAVING DENIED ACCEPTANCE OF INTERVENTION
REPORTED IN NEW YORK TIMES OF OCTOBER 11 1955

ORGONE INSTITUTE RANGELEY MAINE USA

The answer from the Supreme Court on October 14th was the following:

P6065 (W SMAO 12) 17 COLLECT--SN WASHINGTON DC
OCT 14 1955

ORGONE INSTITUTE

RG--

COURT DENIED PETITION FOR REVIEW OCTOBER
10TH BAKER AGAINST UNITED STATES NO 274 OCTO-
BER TERM 1955--

HAROLD B WILEY CLERK

Thus I was to be arraigned in Portland Court accord-
ing to message by Law Clerk Poole to my lawyer, Mr. St.
Clair, the same day on which the Supreme Court had denied
petition for review Baker versus the U. S. A., namely,
October 10th, 1955.

Neat coordinated operation, was it not?

I had not been informed of any of these operations.
Until October 13th, 1955, I knew nothing about the denial
of the Clifford Stay of Injunction by Supreme Court Jus-
tice Frankfurter of July 7th, 1955; neither Mr. Haydon,
the counsel for the intervening physicians, nor Dr. Baker,
Dr. Willie, or other physicians had informed me of that
fact, preceding the order to appear on July 26th, 1955.
Witness to my ignorance of these facts are the telegrams
sent to Mintener on October 13th, at my request, by the
Clerk of the Wilhelm Reich Foundation, after receipt of
the order to appear in Court on October 18th, 1955.

Telegrams to B. Mintener of October 13th, 1955:

18 1 EXTRA RANG 99 1.39 RANGELEY ME
OCT 13 1201 P

COPY
WESTERN UNION TEL CO
/s/ AP Hodgkins Mgr

BRADSHAW MINTENER ASST SCTY
HEALTH EDUCATION WELFARE DEPT WASH DC
PLEASE WIRE COLLECT DATE NUMBER OF ACT DECI-
SION SUPREME COURT TO DENY STAY OF INJUNC-
TION ORGONE ENERGY

CLERK WILHELM REICH FOUNDATION

62 1 EXTRA NL PD RANG 99 1.10 RANGELEY ME
OCT 13 330 P

COPY
WESTERN UNION TEL CO
/s/ A P Hodgkins Mgr

BRADSHAW MINTENER ASST SCTY
DEPT OF HEALTH EDUCATION AND WELFARE
WASH DC

WITH CRIMINAL CONSPIRACY AND TREASON IN-
VOLVED I REPEAT MOST URGENTLY MY REQUEST
INFORMATION ON SOURCE DATE AUTHORITY EXACT
TEXT OF DENIAL OF INTERVENTION BY ORGONOMIC
PHYSICIANS RE ORGONE ENERGY INJUNCTION BY
SUPREME COURT REPORTED BY YOU TO DR BAKER
FAIR HAVEN NEW JERSEY OCTOBER 6, 1955 YOU
WILL BE HELD RESPONSIBLE FOR EVERY WRONG
STATEMENT IN COURTS OF JUSTICE USA

CLERK WILHELM REICH FOUNDATION

30a

The answer by Mintener of October 14th follows here:

OCT 14 1955

CLERK WILHELM REICH FOUNDATION
RANGELEY ME

ASSOCIATE JUSTICE FRANKFURTER OF THE UNITED STATES SUPREME COURT ON 7/17/55 DENIED A STAY IN BAKER ET AL AGAINST THE UNITED STATES. SUPREME COURT DENIED PETITION OF WRIT OF CERTIORARI ON 10/10/55—

BRADSHAW MINTENER
ASSOCIATE SECRETARY
DEPARTMENT OF HEALTH EDUCATION AND WELFARE

31a

DEPT. OF HEALTH, EDUCATION, & WELFARE
OFFICE OF THE ASSISTANT SECRETARY
FOR FEDERAL STATE RELATIONS

Time Typed: 9:00 AM
Date Typed: October 14, 1955
Washington 25, D.C.

COLLECT
CLERK
WILHELM REICH FOUNDATION
RANGELEY, MAINE

ASSOCIATE JUSTICE FRANKFURTER OF THE UNITED STATES SUPREME COURT ON 7/7/55 DENIED A STAY IN BAKER ET AL AGAINST THE UNITED STATES. SUPREME COURT DENIED PETITION FOR WRIT OF CERTIORARI ON 10/10/55.* (Again 'the fateful date, October 10th, 1955, WR)

BRADSHAW MINTENER
ASSISTANT SECRETARY
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

JTCain:* mom

cc: Clerk

Wilhelm Reich Foundation
Rangeley, Maine (Conf.)

* Italics by WR.

CCC: Conniving, Conspiring, Confusing were busy, hard at work to undermine a crucial sector of American resistance to Stalinite HIG subversion, using the procedural ropes and political naivete of Federal Judges, the reluctance to touch the subject of CCC by everyone, the feeling of becoming dirty or being engulfed in a black swamp of emotional dirt and other human characteristics, which have helped the Stalinite HIGs to murder millions of people, and to keep American institutions going in a dangerous circle of blunder and mistake. Is this now sufficient to show in a nut-shell, as it were, how it has been possible that a psychopathic Stalin could manage to entangle and finally kill Delano Roosevelt in two conferences, where he gained all he wanted, abusing the best qualities of a man like Roosevelt, such as kindliness, trust, hope for peaceful cooperation of nations, etc.? So did the FDA HIG with a kind, trusting, innocent, somewhat helpless Judge Clifford.

I told the Marshal Doherty that I might decide not to appear at the hearing of October 18th, 1955. I also asked him what he would then do. He told me he would have to take me into Court, but that he would "take me in *as a gentleman*". I was grateful to him, but I felt that this was not enough to stop the HIG forever.

Judge Clifford called me personally by telephone at noon on October 14th, and assured me that all privileges granted by the law to accused men would be granted me. I promised to appear, but felt that this was, too, not sufficient to stop the FDA Stalinite HIG from further CCC action. *I had to succeed in getting into the Court room the truth about the conspiracy.* I had failed so far in spite of the fact that the lawyers, Haydon as well as Fisher and St. Clair, had told me that a conspiracy was clearly at work, but also that it "would be hard to prove it in Court". "Why," I asked. *They could not tell*, because the CCC actions of HIGs, using the Emotional Plague, have not

been written into the Statute Books yet. They certainly will have to be established as future safeguards against the HIGs.

At the hearing on October 18th, Mr. Haydon, Counsel for Dr. Silvert, had promised to bring forth a *charge of fraud* perpetrated by the FDA Counsel upon the Court. He did not bring forth the charge, for reasons which are well known to me, but which cannot be told here. I thereupon asked Mr. Haydon to resign as counsel for defense. From now onward it seemed safer to take our fate into our own hands. There were no laws on the Statute Books to cope with the CCC of HIGs and the Emotional Plague of Man which supported the Stalinite, Hitlerite, Mussolinied HIG. The task was risky to the fullest neck-break, but the *job had to be done*. And thus it came about that I am sending this brief document to the acting Judge in the Case, "*Discovery of the Cosmic Life Energy versus HIG*". May it have success in getting the truth finally into the Court room.