

The Great American Fraud

Samuel Hopkins Adams

The lower half of the image features a vibrant blue background adorned with a complex, abstract pattern of magenta geometric shapes. These shapes include various sizes of triangles, rectangles, and curved lines, scattered across the space. The overall effect is a dynamic and modern graphic design.

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Samuel Hopkins Adams



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*** START OF THE PROJECT GUTENBERG EBOOK THE GREAT
AMERICAN FRAUD ***

**THE GREAT AMERICAN
FRAUD**

By Samuel Hopkins Adams

A Series of Articles on the Patent Medicine Evil, Reprinted from
Collier's Weekly

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I. THE GREAT AMERICAN FRAUD.

Reprinted from Collier's Weekly, Oct. 7, 1905.

This is the introductory article to a series which will contain a full explanation and exposure of patent-medicine methods, and the harm done to the public by this industry, founded mainly on fraud and poison. Results of the publicity given to these methods can already be seen in the steps recently taken by the National Government, some State Governments and a few of the more reputable newspapers. The object of the series is to make the situation so familiar and thoroughly understood that there will be a speedy end to the worst aspects of the evil.

IMAGE ==>

Gullible America will spend this year some seventy-five millions of dollars in the purchase of patent medicines. In consideration of this sum it will swallow huge quantities of alcohol, an appalling amount of opiates and narcotics, a wide assortment of varied drugs ranging from powerful and dangerous heart depressants to insidious liver stimulants; and, far in excess of all other ingredients, undiluted fraud. For fraud, exploited by the skillfulest of advertising bunco men, is the basis of the trade. Should the newspapers, the magazines and the medical journals refuse their pages to this class of advertisements, the patent-medicine business in five years would be as scandalously historic as the South Sea Bubble, and the nation would be the richer not only in lives and money, but in drunkards and drug-fiends saved.

"Don't make the mistake of lumping all proprietary medicines in one indiscriminate denunciation," came warning from all sides when this series was announced. But the honest attempt to separate the sheep from the goats develops a lamentable lack of qualified candidates for the sheepfold. External remedies there may be which are at once honest in their claims and

effective for their purposes; they are not to be found among the much-advertised ointments or applications which fill the public prints.

Cuticura may be a useful preparation, but in extravagance of advertising it rivals the most clamorous cure-all. Pond's Extract, one would naturally suppose, could afford to restrict itself to decent methods, but in the recent epidemic scare in New York it traded on the public alarm by putting forth "display" advertisements headed, in heavy black type, "Meningitis," a disease in which witch-hazel is about as effective as molasses. This is fairly comparable to Peruna's ghoulish exploitation, for profit, of the yellow-fever scourge in New Orleans, aided by various southern newspapers of standing, which published as *news* an "interview" with Dr. Hartman, president of the Peruna Company.

Drugs That Make Victims.

When one comes to the internal remedies, the proprietary medicines proper, they all belong to the tribe of Capricorn, under one of two heads, harmless frauds or deleterious drugs. For instance, the laxatives perform what they promise; if taken regularly, as thousands of people take them (and, indeed, as the advertisements urge), they become an increasingly baneful necessity. Acetanilid will undoubtedly relieve headache of certain kinds; but acetanilid, as the basis of headache powders, is prone to remove the cause of the symptoms permanently by putting a complete stop to the heart action. Invariably, when taken steadily, it produces constitutional disturbances of insidious development which result fatally if the drug be not discontinued, and often it enslaves the devotee to its use. Cocain and opium stop pain; but the narcotics are not the safest drugs to put into the hands of the ignorant, particularly when their presence is concealed in the "cough remedies," "soothing syrups," and "catarrhal powders" of which they are the basis. Few outside of the rabid temperance advocates will deny a place in medical practice to alcohol. But alcohol, fed daily and in increasing doses to women and children, makes not for health, but for drunkenness. Far better whiskey or gin unequivocally labeled than the alcohol-laden "bitters," "sarsaparillas" and "tonics" which exhilarate fatuous temperance advocates to the point of enthusiastic testimonials.

None of these "cures" really does cure any serious affection, although a majority of their users recover. But a majority, and a very large majority, of the sick recover, anyway. Were it not so—were one illness out of fifty fatal—this earth would soon be depopulated.

As to Testimonials.

The ignorant drug-taker, returning to health from some disease which he has overcome by the natural resistant powers of his body, dips his pen in gratitude and writes his testimonial. The man who dies in spite of the patent medicine—or perhaps because of it—doesn't bear witness to what it did for him. We see recorded only the favorable results: the unfavorable lie silent. How could it be otherwise when the only avenues of publicity are controlled by the advertisers? So, while many of the printed testimonials are genuine enough, they represent not the average evidence, but the most glowing opinions which the nostrum vender can obtain, and generally they are the expression of a low order of intelligence. Read in this light, they are unconvincing enough. But the innocent public regards them as the type, not the exception. "If that cured Mrs. Smith of Oshgosh it may cure me," says the woman whose symptoms, real or imaginary, are so feelingly described under the picture. Lend ear to expert testimony from a certain prominent cure-all:

"They see my advertising. They read the testimonials. They are convinced. They have faith in Peruna. It gives them a gentle stimulant and so they get well."

There it is in a nutshell; the faith cure. Not the stimulant, but the faith inspired by the advertisement and encouraged by the stimulant does the work—or seems to do it. If the public druggist can convince his patron that she is well, she *is* well—for his purposes. In the case of such diseases as naturally tend to cure themselves, no greater harm is done than the parting of a fool and his money. With rheumatism, sciatica and that ilk, it means added pangs; with consumption, Bright's disease and other serious disorders, perhaps needless death. No onus of homicide is borne by the nostrum seller; probably the patient would have died anyway; there is no proof that the patent bottle was in any way responsible. Even if there were—and rare cases do occur where the responsibility can be brought home—there is no warning to others, because the newspapers are too considerate of their advertisers to publish such injurious items.

The Magic "Red Clause."

With a few honorable exceptions the press of the United States is at the beck and call of the patent medicines. Not only do the newspapers modify news possibly affecting these interests, but they sometimes become their active agents. F. J. Cheney, proprietor of Hall's Catarrh Cure, devised some years ago a method of making the press do his fighting against legislation compelling makers of remedies to publish their formulæ, or to print on the labels the dangerous drugs contained in the medicine—a constantly recurring bugaboo of the nostrum-dealer. This scheme he unfolded at a meeting of the Proprietary Association of America, of which he is now president. He explained that he printed in red letters on every advertising contract a clause providing that the contract should become void in the event of hostile legislation, and he boasted how he had used this as a club in a case where an Illinois legislator had, as he put it, attempted to hold him for three hundred dollars on a strike bill.

"I thought I had a better plan than this," said Mr. Cheney to his associates, "so I wrote to about forty papers and merely said: 'Please look at your contract with me and take note that if this law passes you and I must stop doing business,' The next week every one of them had an article and Mr. Man had to go."

So emphatically did this device recommend itself to the assemblage that many of the large firms took up the plan, and now the "red clause" is a familiar device in the trade. The reproduction printed on page 6 {p006} is a fac-simile of a contract between Mr. Cheney's firm and the *Emporia Gazette*, William Allen White's paper, which has since become one of the newspapers to abjure the patent-medicine man and all his ways. Emboldened by this easy coercion of the press, certain firms have since used the newspapers as a weapon against "price-cutting," by forcing them to refuse advertising of the stores which reduce rates on patent medicines. Tyrannical masters, these heavy purchasers of advertising space.

To what length daily journalism will go at the instance of the business office was shown in the great advertising campaign of Paine's Celery Compound, some years ago. The nostrum's agent called at the office of a

prominent Chicago newspaper and spread before its advertising manager a full-page advertisement, with blank spaces in the center.

"We want some good, strong testimonials to fill out with," he said.

"You can get all of those you want, can't you?" asked the newspaper manager.

"Can *you*?" returned the other. "Show me four or five strong ones from local politicians and you get the ad."

Fake Testimonials.

That day reporters were assigned to secure testimonials with photographs which subsequently appeared in the full-page advertisement as promised. As for the men who permitted the use of their names for this purpose, several of them afterward admitted that they had never tasted the "Compound," but that they were willing to sign the testimonials for the joy of appearing in print as "prominent citizens." Another Chicago newspaper compelled its political editor to tout for fake indorsements of a nostrum. A man with an inside knowledge of the patent-medicine business made some investigations into this phase of the matter, and he declares that such procurement of testimonials became so established as to have the force of a system, only two Chicago papers being free from it.

IMAGE ==>

To-day, he adds, a similar "deal" could be made with half a dozen of that city's dailies. It is disheartening to note that in the case of one important and high-class daily, the *Pittsburg Gazette*, a trial rejection of all patent-medicine advertising received absolutely no support or encouragement from the public; so the paper reverted to its old policy.

IMAGE ==> A WINDOW EXHIBIT IN A CHICAGO DRUG STORE.

The control is as complete, though exercised by a class of nostrums somewhat differently exploited, but essentially the same. Only "ethical" preparations are permitted in the representative medical press, that is, articles not advertised in the lay press. Yet this distinction is not strictly adhered to. "Syrup of Figs," for instance, which makes widespread pretense in the dailies to be an extract of the fig, advertises in the medical journals for what it is, a preparation of senna. Antikamnia, an "ethical" proprietary compound, for a long time exploited itself to the profession by a campaign of ridiculous extravagance, and is to-day by the extent of its reckless *use* on the part of ignorant laymen a public menace. Recently an article

announcing a startling new drug discovery and signed by a physician was offered to a standard medical journal, which declined it on learning that the drug was a proprietary preparation. The contribution was returned to the editor with an offer of payment at advertising rates if it were printed as editorial reading matter, only to be rejected on the new basis. Subsequently it appeared simultaneously in more than twenty medical publications as reading matter. There are to-day very few medical publications which do not carry advertisements conceived in the same spirit and making much tin same exhaustive claims as the ordinary quack "ads" of the daily press, and still fewer that are free from promises to "cure" diseases which are incurable by any medicine. Thus the medical press is as strongly enmeshed by the "ethical" druggers as the lay press is by Paine, "Dr." Kilmer, Lydia Pinkham, Dr. Hartman, "Hall" of the "red clause" and the rest of the edifying band of life-savers, leaving no agency to refute the megaphone exploitation of the fraud. What opposition there is would naturally arise in the medical profession, but this is discounted by the proprietary interests.

The Doctors Are Investigating.

"You attack us because we cure your patients," is their charge. They assume always that the public has no grievance against them, or, rather, they calmly ignore the public in the matter. In his address at the last convention of the Proprietary Association, the retiring president, W. A. Talbot of Piso's Consumption Cure, turning his guns on the medical profession, delivered this astonishing sentiment:

"No argument favoring the publication of our formulas was ever uttered which does not apply with equal force to your prescriptions. It is pardonable in you to want to know these formulas, for they are good. But you must not ask us to reveal these valuable secrets, to do what you would not do yourselves. The public and our law-makers do not want your secrets nor ours, *and it would be a damage to them to have them.*"

The physicians seem to have awakened, somewhat tardily, indeed, to counter-attack. The American Medical Association has organized a Council on Pharmacy and Chemistry to investigate and pass on the "ethical" preparations advertised to physicians, with a view to listing those which are found to be reputable and useful. That this is regarded as a direct assault on the proprietary interests is suggested by the protests, eloquent to the verge of frenzy in some cases, emanating from those organs which the manufacturers control. Already the council has issued some painfully frank reports on products of imposingly scientific nomenclature; and more are to follow.

What One Druggist Is Doing.

Largely for trade reasons a few druggists have been fighting the nostrums, but without any considerable effect. Indeed, it is surprising to see that people are so deeply impressed with the advertising claims put forth daily as to be impervious to warnings even from experts.

A cut-rate store, the Economical Drug Company of Chicago, started on a campaign and displayed a sign in the window reading:

IMAGE ==>

PLEASE DO NOT ASK US

What is ANY OLD PATENT MEDICINE Worth?

For you embarrass us, as our honest answer must be that IT IS WORTHLESS

If you mean to ask at what price we sell it, that is an entirely different proposition.

When sick, consult a good physician. It is the only proper course. And you will find it cheaper in the end than self-medication with worthless "patent" nostrums.

This was followed up by the salesmen informing all applicants for the prominent nostrums that they were wasting money. Yet with all this that store was unable to get rid of its patent-medicine trade, and to-day nostrums comprise one-third of its entire business. They comprise about two-thirds of that of the average small store.

Legislation is the most obvious remedy, pending the enlightenment of the general public or the awakening of the journalistic conscience. But legislation proceeds slowly and always against opposition, which may be measured in practical terms as \$250,000,000 at stake on the other side. I note in the last report of the Proprietary Association's annual meeting the significant statement that "the heaviest expenses were incurred in legislative work." Most of the legislation must be done by states, and we have seen in

the case of the Hall Catarrh cure contract how readily this may be controlled.

Two government agencies, at least, lend themselves to the purposes of the patent-medicine makers. The Patent Office issues to them trade-mark registration (generally speaking, the convenient term "patent medicine" is a misnomer, as very few are patented) without inquiry into the nature of the article thus safeguarded against imitation. The Post Office Department permits them the use of the mails. Except one particular line, the disgraceful "Weak Manhood" remedies, where excellent work has been done in throwing them out of the mails for fraud, the department has done nothing in the matter of patent remedies, and has no present intention of doing anything; yet I believe that such action, powerful as would be the opposition developed, would be upheld by the courts on the same grounds that sustained the Post Office's position in the recent case of "Robusto."

A Post-Office Report.

That the advertising and circular statements circulated through the mails were materially and substantially false, with the result of cheating and defrauding those into whose hands the statements came;

That, while the remedies did possess medicinal properties, these were not such as to carry out the cures promised;

That the advertiser knew he was deceiving;

That in the sale and distribution of his medicines the complainant made no inquiry into the specific character of the disease in any individual case, but supplied the same remedies and prescribed the same mode of treatment to all alike.

Should the department apply these principles to the patent-medicine field generally, a number of conspicuous nostrums would cease to be patrons of Uncle Sam's mail service.

Some states have made a good start in the matter of legislation, among them Michigan, which does not, however, enforce its recent strong law. Massachusetts, which has done more, through the admirable work of its State Board of Health, than any other agency to educate the public on the patent-medicine question, is unable to get a law restricting this trade. In New Hampshire, too, the proprietary interests have proven too strong, and the Mallonee bill was destroyed by the almost united opposition of a "red-clone" press. North Dakota proved more independent. After Jan. 1, 1906, all medicines sold in that state, except on physicians' prescriptions, which contain chloral, ergot, morphin, opium, cocain, bromin, iodine or any of their compounds or derivatives, or more than 5 per cent, of alcohol, must so state on the label. When this bill became a law, the Proprietary Association of America proceeded to blight the state by resolving that its members should offer no goods for sale there.

Boards of health in various parts of the country are doing valuable educational work, the North Dakota board having led in the legislation. The Massachusetts, Connecticut and North Carolina boards have been active. The New York State board has kept its hands off patent medicines, but the

Board of Pharmacy has made a cautious but promising beginning by compelling all makers of powders containing cocain to put a poison label on their goods; and it proposes to extend this ruling gradually to other dangerous compositions.

Health Boards and Analyses.

It is somewhat surprising to find the Health Department of New York City, in many respects the foremost in the country, making no use of carefully and rather expensively acquired knowledge which would serve to protect the public. More than two years ago analyses were made by the chemists of the department which showed dangerous quantities of cocain in a number of catarrh powders. These analyses have never been printed. Even the general nature of the information has been withheld. Should any citizen of New York, going to the Health Department, have asked: "My wife is taking Birney's Catarrh Powder; is it true that it's a bad thing?" the officials, with the knowledge at hand that the drug in question is a mater of cocain fiends, would have blandly emulated the Sphinx. Outside criticism of an overworked, undermanned and generally efficient department is liable to error through ignorance of the problems involved in its administration; yet one can not but believe that some form of warning against what is wisely admittedly a public menace would have been a wiser form of procedure than that which has heretofore been discovered by the formula, "policy of the department."

Policies change and broaden under pressure of conditions. The Health Commissioner is now formulating a plan which, with the work of the chemists as a basis, shall check the trade in public poisons more or less concealed behind proprietary names.

It is impossible, even in a series of articles, to attempt more than an exemplary treatment of the patent-medicine frauds. The most degraded and degrading, the "lost vitality" and "blood disease" cures, reeking of terrorization and blackmail, can not from their very nature be treated of in a lay journal. Many dangerous and health-destroying compounds will escape through sheer inconspicuousness. I can touch on only a few of those which may be regarded as typical: the alcohol stimulators, as represented by Peruna, Paine's Celery Compound and Duffy's Pure Malt Whiskey (advertised as an exclusively medical preparation); the catarrh powders, which breed cocain slaves, and the opium-containing soothing syrups, which stunt or kill helpless infants; the consumption cures, perhaps the

most devilish of all, in that they destroy hope where hope is struggling against bitter odds for existence; the headache powders, which enslave so insidiously that the victim is ignorant of his own fate; the comparatively harmless fake as typified by that marvelous product of advertising and effrontery, Liquozone; and, finally, the system of exploitation and testimonials on which the whole vast system of bunco rests, as on a flimsy but cunningly constructed foundation.

II. PERUNA AND THE BRACERS.

Reprinted from Collier's Weekly, Oct. 28, 1905.

A distinguished public health official and medical writer once made this jocular suggestion to me:

"Let us buy in large quantities the cheapest Italian vermouth, poor gin and bitters. We will mix them in the proportion of three of vermouth to two of gin, with a dash of bitters, dilute and bottle them by the short quart, label them '*Smith's Reviver ana Blood Purifier; dose, one wineglassful before each meal*'; advertise them to cure erysipelas, bunions, dyspepsia, heat rash, fever and ague, and consumption; and to prevent loss of hair, smallpox, old age, sunstroke and near-sightedness, and make our everlasting fortunes selling them to the temperance trade."

"That sounds to me very much like a cocktail," said I.

"So it is," he replied. "But it's just as much a medicine as Peruna and not as bad a drink."

Peruna, or, as its owner, Dr. S. B. Hartman, of Columbus, Ohio (once a physician in good standing), prefers to write it, Pe-ru-na, is at present the most prominent proprietary nostrum in the country. It has taken the place once held by Greene's Nervura and by Paine's Celery Compound, and for the same reason which made them popular. The name of that reason is alcohol.* Peruna is a stimulant pure and simple, and it is the more dangerous in that it sails under the false colors of a benign purpose.

** Dr. Ashbel P. Grinnell of New York City, who has made a statistical study of patent medicines, asserts as a provable fact that more alcohol is consumed in this country in patent medicines than is dispensed in a legal way by licensed liquor venders, barring the sale of ales and beer.*

According to an authoritative statement given out in private circulation a few years ago by its proprietors, Peruna is a compound of seven drugs with cologne spirits. This formula, they assure me, has not been materially changed. None of the seven drugs is of any great potency. Their total is less

than one-half of 1 per cent, of the product. Medicinally they are too inconsiderable, in this proportion, to produce any effect. There remains to Peruna only water and cologne spirits, roughly in the proportion of three to one. Cologne spirits is the commercial term for alcohol.

What Peruna Is Made Of.

Any one wishing to make Peruna for home consumption may do so by mixing half a pint of cologne spirits, 190 proof, with a pint and a half of water, adding thereto a little cubebs for flavor and a little burned sugar for color. Manufactured in bulk, so a former Peruna agent estimates, its cost, including bottle and wrapper, is between fifteen and eighteen cents a bottle. Its price is \$1.00. Because of this handsome margin of profit, and by way of making hay in the stolen sunshine of Peruna advertising, many imitations have sprung up to harass the proprietors of the alcohol-and-water product. Pe-ru-vi-na, P-ru-na, Purina, Anurep (an obvious inversion); these, bottled and labeled to resemble Peruna, are self-confessed imitations. From what the Peruna people tell me, I gather that they are dangerous and damnable frauds, and that they cure nothing.

What does Peruna cure? Catarrh. That is the modest claim for it; nothing but catarrh. To be sure, a careful study of its literature will suggest its value as a tonic and a preventive of lassitude. But its reputation rests on catarrh. What is catarrh? Whatever ails you. No matter what you've got, you will be not only enabled, but compelled, after reading Dr. Hartman's Peruna book, "The Ills of Life," to diagnose your illness as catarrh and to realize that Peruna alone will save you. Pneumonia is catarrh of the lungs; so is consumption. Dyspepsia is catarrh of the stomach. Enteritis is catarrh of the intestines. Appendicitis—surgeons, please note before operating—is catarrh of the appendix. Bright's disease is catarrh of the kidneys. Heart disease is catarrh of the heart. Canker sores are catarrh of the mouth. Measles is, perhaps, catarrh of the skin, since "a teaspoonful of Peruna thrice daily or oftener is an effectual cure" ("The Ills of Life"). Similarly, malaria, one may guess, is catarrh of the mosquito that bit you. Other diseases not specifically placed in the catarrhal class, but yielding to Peruna (in the book), are colic, mumps, convulsions, neuralgia, women's complaints and rheumatism. Yet "Peruna is not a cure-all," virtuously disclaims Dr. Hartman, and grasps at a golden opportunity by advertising his nostrum as a preventive against yellow fever! That alcohol and water, with a little coloring matter and one-half of 1 per cent, of mild drugs, will cure all or any of the ill listed above

is too ridiculous to need refutation. Nor does Dr. Hartman himself personally make that claim for his product. He stated to me specifically and repeatedly that no drug or combination of drugs, with the possible exception of quinin for malaria, will cure disease. His claim is that the belief of the patient in Peruna, fostered as it is by the printed testimony, and aided by the "gentle stimulation," produces good results. It is well established that in certain classes of disease the opposite is true. A considerable proportion of tuberculosis cases show a history of the Peruna type of medicines taken in the early stages, with the result of diminishing the patient's resistant power, and much of the typhoid in the middle west is complicated by the victim's "keeping up" on this stimulus long after he should have been under a doctor's care. But it is not as a fraud on the sick alone that Peruna is baneful, but as the maker of drunkards also.

"It can be used any length of time without acquiring a drug habit," declares the Peruna book, and therein, I regret to say, lies specifically and directly. The lie is ingeniously backed up by Dr. Hartman's argument that "nobody could get drunk on the prescribed doses of Peruna."

Perhaps this is true, though I note three wineglassfuls in forty-five minutes as a prescription which might temporarily alter a prohibitionist's outlook on life. But what makes Peruna profitable to the maker and a curse to the community at large is the fact that the minimum dose first ceases to satisfy, then the moderate dose, and finally the maximum dose; and the unsuspecting patron, who began with it as a medicine, goes on to use it as a beverage and finally to be enslaved by it as a habit. A well-known authority on drug addictions writes me:

"A number of physicians have called my attention to the use of Peruna, both preceding and following alcohol and drug addictions. Lydia Pinkham's Compound is another dangerous drug used largely by drinkers; Paine's Celery Compound also. I have in the last two years met four cases of persons who drank Peruna in large quantities to intoxication. This was given to them originally as a tonic. They were treated under my care as simple alcoholics."

The Government Forbids the Sale of Peruna to Indians.

Expert opinion on the non-medical side is represented in the government order to the Indian Department, reproduced on the following page, the kernel of which is this:

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, D. C., *August 10, 1905.*

To Indian Agents and School Superintendents in charge of Agencies:

The attention of the Office has been called to the fact that many licensed traders are very negligent as to the way in which their stores are kept. Some lack of order might be condoned, but it is reported that many stores are dirty even to filthiness. Such a condition of affairs need not be tolerated, and improvement in that respect must be insisted on.

The Office is not so inexperienced as to suppose that traders open stores among Indians from philanthropic motives. Nevertheless a trader has a great influence among the Indians with whom he has constant dealings and who are often dependent upon him, and there are not a few instances in which the trader has exerted this influence for the welfare of his customers as well as for his own profit.

A well-kept store, tidy in appearance, where the goods, especially eatables, are handled in a cleanly way, with due regard to ordinary hygiene, and where exact business methods prevail is a civilizing influence among Indians, while disorder, slovenliness, slipshod ways, and dirt are demoralizing.

You will please examine into the way in which the traders under your supervision conduct their stores, how their goods, particularly edible goods, are handled, stored, and given out, and see to it that in these respects, as

well in respect of weights, prices, and account-keep-ing, the business is properly conducted. If any trader, after due notice, fails to come up to these requirements you will report him to this Office.

In connection with this investigation, please give particular attention to the proprietary medicines and other compounds which the traders keep in stock, with special reference to the liability of their misuse by Indians on account of the alcohol which they contain. The sale of Peruna, which is on the lists of several traders, is hereby absolutely prohibited. As a medicine, something else can be substituted; as an intoxicant, it has been found too tempting and effective. Anything of the sort under another name which is found to lead to intoxication you will please report to this Office. When a compound of that sort gets a bad name it is liable to be put on the market with some slight change of form and a new name. Jamaica ginger and flavoring extracts of vanilla, lemon, and so forth, should be kept in only small quantities and in small bottles and should not be sold to Indians, or at least only sparingly to those who it is known will use them only for legitimate purposes.

Of course, you will continue to give attention to the labeling of poisonous drugs with skull and cross-bones as per Office circular of January 12, 1905.

Copies of this circular letter are herewith to be furnished the traders.

Yours, respectfully,

C. F. LARRABEE,

Acting Commissioner.

Note, in the fifth paragraph, these sentences: "The sale of Peruna which is on the list of several traders, *is hereby absolutely prohibited*. As a medicine something else can be substituted; as an Intoxicant it has been found too tempting."

Alcohol In "Medicines" And In Liquors.

IMAGE ==>

These diagrams show what would be left in a bottle of patent medicine If everything was poured out except the alcohol; they also show the quantity

of alcohol that would be present if the same bottle had contained whisky, champagne, claret or beer. It is apparent that a bottle of Peruna contains as much alcohol as five bottles of beer, or three bottles of claret or champagne—that is, bottles of the same size. It would take nearly nine bottles of beer to put as much alcohol into a thirsty man's system as a temperance advocate can get by drinking one bottle of Hostetter's Stomach Bitters. While the "doses" prescribed by the patent medicine manufacturers are only one to two teaspoonfuls several times a day, the opportunity to take more exists, and even small doses of alcohol, taken regularly, cause that craving which is the first step in the making of a drunkard or drag fiend.

Specific evidence of what Peruna can do will be found in the following report, verified by special investigation:

Pinedale, Wyo., Oct. 4.—(Special.)—"Two men suffering from delirium tremens and one dead is the result of a Peruna intoxication which took place here a few days ago. C. E. Armstrong, of this place, and a party of three others started out on a camping trip to the Yellowstone country, taking with them several bottles of whisky and ten bottles of Peruna, which one of the members of the party was taking as a tonic. The trip lasted over a week. The whisky was exhausted and for two days the party was without liquor. At last some one suggested that they use Peruna, of which nine bottles remained. Before they stopped the whole remaining supply had been consumed and the four men were in a state of intoxication, the like of which they had never known before. Finally, one awoke with terrible cramps in his stomach and found his companions seemingly in an almost lifeless condition. Suffering terrible agony, he crawled on his hands and knees to a ranch over a mile distant, the process taking him half a day. Aid was sent to his three companions. Armstrong was dead when the rescue party arrived. The other two men, still unconscious, were brought to town in a wagon and are still in a weak and emaciated condition. Armstrong's body was almost tied in a knot and could not be straightened for burial."

Here is testimony from a druggist in a Southern "no license" town:

"Peruna is bought by all the druggists in this section by the gross. I have seen persons thoroughly intoxicated from taking Peruna. The common remark in this place when a drunken party is particularly obstreperous is that he is on a 'Peruna drunk,' It is a notorious fact that a great many do use Peruna to get the alcoholic effect, and they certainly do get it good and

strong. Now, there are other so-called remedies used for the same purpose, namely, Gensenica, Kidney Specific, Jamaica Ginger, Hostetter's Bitters, etc."

So well recognized is this use of the nostrum that a number of the Southern newspapers advertise a cure for the "Teruna habit." which is probably worse than the habit, as is usually the case with these "cures." In southern Ohio and in the mountain districts of West Virginia the "Peruna jag" is a standard form of intoxication.

Two Testimonials.

A testimonial-hunter in the employ of the Peruna company was referred by a Minnesota druggist to a prosperous farmer in the neighborhood. The farmer gave Peruna a most enthusiastic "send-off"; he had been using it for several months and could say, etc. Then he took the agent to his barn and showed him a heap of empty Peruna bottles. The agent counted them. There were seventy-four. The druggist added his testimonial. "That old boy has a 'still' on all the time since he discovered Peruna," said he. "He's my star customer." The druggist's testimonial was not printed.

At the time when certain Chicago drug stores were fighting some of the leading patent medicines, and carrying only a small stock of them, a boy called one evening at one of the downtown shops for thirty-nine bottles of Peruna. "There's the money," he said. "The old man wants to get his before it's all gone." Investigation showed that the purchaser was the night engineer of a big downtown building and that the entire working staff had "chipped in" to get a supply of their favorite stimulant.

"But why should any one who wants to get drunk drink Peruna when he can get whisky?" argues the nostrum-maker.

There are two reasons, one of which is that in many places the "medicine" can be obtained and the liquor can not. Maine, for instance, being a prohibition state, does a big business in patent medicines. So does Kansas. So do most of the no-license counties in the South, though a few have recently thrown out the disguised "booze." Indiana Territory and Oklahoma, as we have seen, have done so because of Poor Lo's predilection toward curing himself of depression with these remedies, and for a time, at least, Peruna was shipped in in unlabeled boxes.

United States District Attorney Mellette, of the western district of Indian Territory, writes: "Vast quantities of Peruna are shipped into this country, and I have caused a number of persons to be indicted for selling the same, and a few of them have been convicted or have entered pleas of guilty. I could give you hundreds of specific cases of 'Peruna drunk' among the

Indians. It is a common beverage among them, used for the purposes of intoxication."

The other reason why Peruna or some other of its class is often the agency of drunkenness instead of whisky is that the drinker of Peruna doesn't want to get drunk, at least she doesn't know that she wants to get drunk. I use the feminine pronoun advisedly, because the remedies of this class are largely supported by women. Lydia Pinkham's variety of drink depends for its popularity chiefly on its alcohol. Paine's Celery Compound relieves depression and lack of vitality on the same principle that a cocktail does, and with the same necessity for repetition. I know an estimable lady from the middle West who visited her dissipated brother in New York—dissipated from her point of view, because she was a pillar of the W. C. T. U., and he frequently took a cocktail before dinner and came back with it on his breath, whereon she would weep over him as one lost to hope. One day, in a mood of brutal exasperation, when he hadn't had his drink and was able to discern the flavor of her grief, he turned on her:

"I'll tell you what's the matter with you," he said. "You're drunk—maudlin drunk!"

She promptly and properly went into hysterics. The physician who attended diagnosed the case more politely, but to the same effect, and ascertained that she had consumed something like half a bottle of Kilmer's Swamp-Root that afternoon. Now, Swamp-Root is a very creditable "booze," but much weaker in alcohol than most of its class. The brother was greatly amused until he discovered, to his alarm, that his drink-abhorring sister couldn't get along without her patent medicine bottle! She was in a fair way, quite innocently, of becoming a drunkard.

Another example of this "unconscious drunkenness" is recorded by the *Journal of the American Medical Association*: "A respected clergyman fell ill and the family physician was called. After examining the patient carefully the doctor asked for a private interview with the patient's adult son.

"I am sorry to tell you that your father undoubtedly is suffering from chronic alcoholism," said the physician.

"Chronic alcoholism! Why, that's ridiculous! Father never drank a drop of liquor in his life, and we know all there is to know about his habits."

"Well, my boy, its chronic alcoholism, nevertheless, and at this present moment your father is drunk. How has his health been recently? Has he been taking any medicine?"

"Why, for some time, six months, I should say, father has often complained of feeling unusually tired. A few months ago a friend of his recommended Peruna to him, assuring him that it would build him up. Since then he has taken many bottles of it, and I am quite sure that he has taken nothing else."

From its very name one would naturally absolve Duffy's Malt Whiskey from fraudulent pretence. But Duffy's Malt Whiskey is a fraud, for it pretends to be a medicine and to cure all kinds of lung and throat diseases. It is especially favored by temperance folk. "A dessertspoonful four to six times a day in water and a tablespoonful on going to bed" (personal prescription for consumptive), makes a fair grog allowance for an abstainer.

IMAGE ==>

A SALOON WINDOW DISPLAY AT AUBURN. N. Y.

This bar-room advertises Duffy's Malt Whiskey, the beverage "indorsed" by the "distinguished divines and temperance workers" pictured below, and displays it with other well-known brands of Bourbon and rye—not as a medicine, but purely as a liquor, to be served, like others, in 15-cent drinks across the bar.

Medicine or Liquor?

IMAGE ==>

THREE "DISTINGUISHED TEMPERANCE WORKERS" WHO ADVOCATE THE USE OF WHISKEY.

Of these three "distinguished divines and temperance workers," the Rev. Dunham runs a Get-Married-Quick Matrimonial Bureau, while the "Rev." Houghton derives his income from his salary as Deputy Internal Revenue Collector, his business being to collect Uncle Sam's liquor tax. The printed portrait of Houghton is entirely Imaginary; a genuine photograph of the "temperance worker" and whiskey Indorser is shown above. The Rev. McLeod lives in Greenleaf, Mich.—a township of 893 inhabitants, in Salina County, north of Port Huron, and off the railway line. Mr. McLeod was called to trial by his presbytery for Indorsing Duffy's whiskey and was allowed to "resign" from the fellowship. It has testimonials ranging from consumption to malaria, and indorsements of the clergy. On the opposite page we reproduce a Duffy advertisement showing the "portraits" of three "clergymen" who consider Duffy's Pure Malt Whiskey a gift of God, and on page 18 IMAGE ==> a saloon-window display of this product. For the whisky has its recognized place behind the bar, being sold by the manufacturers to the wholesale liquor trade and by them to the saloons, where it may be purchased over the counter for 85 cents a quart. This is cheap, but Duffy's Pure Malt Whiskey, is not regarded as a high-class article.

IMAGE ==>

REV. W. N. DUNHAM.

Born in Vermont eighty-two years ago, Mr. Dunham was graduated from the Boston Medical College and practiced medicine until about thirty years ago, when he moved west. There he became a preacher. He occupied the

pulpit of the South Cheyenne, Wyoming, Congregational Church for ten years. Two years ago he retired from the pulpit and established a marriage bureau for the accommodation of couples who come over from Colorado to be married. No money was paid by the Duffy's Malt Whiskey people for Dunham's testimonial; but he received about \$10 "to have his picture taken."

"REV." M. N. HOUGHTON.

This Is the actual likeness of the "distinguished divine" with the side whiskers in the Duffy whiskey advertisement. Mr. Houghton was for a number of years pastor of the Church of Eternal Hope, of Bradford, Pa. He retired six years ago to enter politics, and is now a deputy Internal Revenue collector. Although a member of the Universalist Church, Mr. Houghton is a spiritualist and delivered orations last summer at the Lily Dale assembly, the spiritualistic "City of Light" located near Dunkirk, N. Y. Mr. Houghton owned racehorses and was a patron of the turf.

Its status has been definitely settled in New York State, where Excise Commissioner Cullinane recently obtained a decision in the supreme court declaring it a liquor. The trial was in Rochester, where the nostrum is made. Eleven supposedly reputable physicians, four of them members of the Health Department, swore to their belief that the whisky contained drugs which constituted it a genuine medicine. The state was able to show conclusively that if remedial drugs were present they were in such small quantities as to be indistinguishable, and, of course, utterly without value; in short, that the product was nothing more or less than sweetened whisky. Yet the United States government has long lent its sanction to the "medicine" status by exempting Duffy's Pure Malt Whiskey from the federal liquor tax. In fact, the government is primarily responsible for the formal establishment of the product as a medicine, having forced it into the patent medicine ranks at the time when the Spanish war expenses were partly raised by a special tax on nostrums. Up to that time the Duffy product, while asserting its virtues in various ills, made no direct pretence to be anything but a whisky. Transfer to the patent medicine list cost it, in war taxes, more than \$40,000. By way of setting a *quid pro quo*, the company began ingeniously and with some justification to exploit its liquor as "the only whisky recognised by the government as medicine," and

continues so to advertise, although the recent decision of the Internal Revenue Department, providing that all patent medicines which have no medicinal properties other than the alcohol in them must pay a rectifier's tax, relegates it to its proper place. While this decision is not a severe financial blow to the Duffys and their congeners (it means only a few hundred dollars apiece), it is important as officially establishing the "bracer" class on the same footing with whisky and gin, where they belong. Other "drugs" there are which sell largely, perhaps chiefly, over the oar, Hostetter's Bitters and Damiana Bitters being prominent in this class.

When this series of articles was first projected, *Collier's* received a warning from "Warner's Safe Cure," advising that a thorough investigation would be wise before "making any attack" on that preparation. I have no intention of "attacking" this company or any one else, and they would have escaped notice altogether, because of their present unimportance, but for their letter. The suggested investigation was not so thorough as to go deeply into the nature of the remedy, which is an alcoholic liquid, but it developed this interesting fact; Warner's Safe Cure, together with all the Warner remedies, is leased, managed and controlled by the New York and Kentucky Distilling Company, manufacturers of standard whiskies which do not pretend to remedy anything but thirst. Duffy's Malt Whiskey is another subsidiary company of the New York and Kentucky concern. This statement is respectfully submitted to temperance users of the Malt Whiskey and the Warner remedies.

Some Alcohol Percentages.

Hostetter's Bitters contain, according to an official state analysis, 44 per cent, of alcohol; Lydia Pinkham appeals to suffering womanhood with 20 per cent, of alcohol; Hood's Sarsaparilla cures "that tired feeling" with 18 per cent.; Burdock's Blood Bitters, with 25 per cent.; Ayer's Sarsaparilla, with 26 per cent., and Paine's Celery Compound, with 21 per cent. The fact is that any of these remedies could be interchanged with Peruna or with each other, so far as general effect goes, though the iodid of potassium in the sarsaparilla class might have some effect (as likely to be harmful as helpful) which would be lacking in the simpler mixtures.

If this class of nostrum is so harmful, asks the attentive reader of newspaper advertising columns, how explain the indorsements of so many people of prominence and reputation? "Men of prominence and reputation" in this connection means Peruna, for Peruna has made a specialty of high government officials and people in the public eye. In a self-gratulatory dissertation the Peruna Company observes in substance that, while the leading minds of the nation have hitherto shrunk from the publicity attendant on commending any patent medicine, the transcendent virtues of Peruna have overcome this amiable modesty, and, one and all, they stand forth its avowed champions. This is followed by an ingenious document headed "Fifty Members of Congress Send Letters of Indorsement to the Inventor of the Great Catarrh Remedy, Pe-ru-na," and quoting thirty-six of the letters. Analysis of these letters brings out the singular circumstance that in twenty-one of the thirty-six there is no indication that the writer has ever tasted the remedy which he so warmly praises. As a sample, and for the benefit of lovers of ingenious literature, I reprint the following from a humorous member of Congress:

"My secretary has as bad a case of catarrh as I ever saw, and since he has taken one bottle of Peruna he seems like a different man.

"Taylorsville, N. C. Romulus Z. Linney."

The famous letter of Admiral Schley is a case in point. He wrote to the Peruna Company:

"I can cheerfully say that Mrs. Schley has used Peruna, and, I believe, with good effect. [Signed] W. S. Schley."

This indorsement went the rounds of the country in half-page blazonry, to the consternation of the family's friends. Admiral Schley seems to have appreciated that this use of his name was detrimental to his standing. He wrote to a Columbus religious journal the following letter:

"1820 I Street, Washington, D. C., Nov. 10, 1904. "*Editor Catholic Columbian*:—The advertisement of the Peruna Company, inclosed, is made without any authority or approval from me. When it was brought to my attention first I wrote the company a letter, stating that the advertisement was offensive and must be discontinued. Their representative here called on me and stated he had been directed to assure me no further publication would be allowed, as it was without my sanction.

"I would say that the advertisement has been made without my knowledge or consent and is an infringement of my rights as a citizen.

"If you will kindly inform me what the name and date of the paper was in which the inclosed advertisement appeared I shall feel obliged.

"Very truly yours, W. S. Schley."

Careful study of this document will show that this is no explicit denial of the testimonial. But who gives careful study to such a letter? On the face of it, it puts the Peruna people in the position of having forged their advertisement. Ninety-nine people out of a hundred would get that impression. Yet I have seen the testimonial, signed with Admiral Schley's name and interlined in the same handwriting as the signature, and I have seen another letter, similarly signed, stating that Admiral Schley had not understood that the letter was to be used for such advertising as the recipient based on it. If these letters are forgeries the victim has his recourse in the law. They are on file at Columbus, Ohio, and the Peruna Company would doubtless produce them in defense of a suit.

What the Government Can Do.

One thing that the public has a right to demand in its attitude toward the proprietary medicines containing alcohol: that the government carry out rigidly its promised policy no longer to permit liquors to disguise themselves as patent medicines, and thereby escape the tax which is put on other (and probably better) brands of intoxicants. One other demand it should make on the purveyors of the concoctions: that they label every bottle with the percentage of alcohol it contains; that they label every man who writes testimonials to Duffy, and the W. C. T. U. member who indorses Peruna, Lydia Pinkham, Warner and their compeers, will know when they imbibe their "tonics," "invigorators," "swamp roots," "bitters," "nerve-builders" or "spring medicines" that they are sipping by the tablespoon or wineglassful what the town tippler takes across the license-paying bar.

III.—LIQUOZONE.

Reprinted from Collier's Weekly, Nov. 18, 1905.

Twenty years ago the microbe was making a great stir in the land. The public mind, ever prone to exaggerate the importance and extent of any new scientific discovery, ascribed all known diseases to microbes. The infinitesimal creature with the mysterious and unpleasant attributes became the leading topic of the time. Shrewdly appreciating this golden opportunity, a quack genius named Radam invented a drug to slay the new enemy of mankind and gave it his name. Radam's Microbe Killer filled the public prints with blazonry of its lethal virtues. As it consisted of a mixture of muriatic and sulphuric acids with red wine, any microbe which took it was like to fare hard; but the ingenious Mr. Radam's method of administering it to its intended prey via the human stomach failed to commend itself to science, though enormously successful in a financial sense through flamboyant advertising.

Liquozone "Cures" Thirty-seven Varieties.

In time some predaceous bacillus, having eluded the "killer," carried off its inventor. His nostrum soon languished. To-day it is little heard of, but from the ashes of its glories has risen a mightier successor, Liquozone. Where twenty years ago the microbe reveled in publicity, to-day we talk of germs and bacteria; consequently Liquozone exploits itself as a germicide and bactericide. It dispenses with the red wine of the Radam concoction and relies on a weak solution of sulphuric and sulphurous acids, with an occasional trace of hydrochloric or hydrobromic acid. Mostly it is water, and this is what it "cures":

*"Asthma, Gallstones,
Abscess-Anemia, Goiter-Gout;
Bronchitis, Hay Fever-Influenza,
Blood Poison, La Grippe,
Bowel Troubles, Leucorrhoea,
Coughs-Colds, Malaria-Neuralgia,
Consumption, Piles-Quinsy,
Contagious Diseases, Rheumatism,
Cancer-Catarrh, Scrofula,
Dysentery-Diarrhea, Skin Diseases,
Dyspepsia-Dandruff, Tuberculosis,
Eczema-Erysipelas, Tumors-Ulcers,
Fevers, Throat Troubles*

—all diseases that begin with fever—all inflammations—all catarrh—all contagious diseases—all the results of impure or poisoned blood. In nervous diseases Liquozone acts as a vitalizer, accomplishing what no drugs can do."

These diseases it conquers by destroying, in the human body, the germs which cause (or are alleged to cause) them. Such is Liquozone's claim.

Yet the Liquozone Company is not a patent medicine concern. We have their own word for it:

"We wish to state at the start that we are not patent medicine men, and their methods will not be employed by us.... Liquozone is too important a product for quackery."

The head and center of this non-patent medicine cure-all is Douglas Smith. Mr. Smith is by profession a promoter. He is credited with a keen

vision for profits. Several years ago he ran on a worthy ex-piano dealer, a Canadian by the name of Powley (we shall meet him again, trailing clouds of glory in a splendid metamorphosis), who was selling with some success a mixture known as Powley's Liquefied Ozone. This was guaranteed to kill any disease germ known to science. Mr. Smith examined into the possibilities of the product, bought out Powley, moved the business to Chicago and organized it as the Liquid Ozone Company. Liquid air was then much in the public prints. Mr. Smith, with the intuition of genius, and something more than genius' contempt for limitations, proceeded to catch the public eye with this frank assertion: "Liquozone is liquid oxygen—that is all."

It is enough. That is, it would be enough if it were but true. Liquid oxygen doesn't exist above a temperature of 229 degrees below zero. One spoonful would freeze a man's tongue, teeth and throat to equal solidity before he ever had time to swallow. If he could, by any miracle, manage to get it down, the undertaker would have to put him on the stove to thaw him out sufficiently for a respectable burial. Unquestionably Liquozone, if it were liquid oxygen, would kill germs, but that wouldn't do the owner of the germs much good because he'd be dead before they had time to realize that the temperature was falling. That it would cost a good many dollars an ounce to make is, perhaps, beside the question. The object of the company was not to make money, but to succor the sick and suffering. They say so themselves in their advertising. For some reason, however, the business did not prosper as its new owner had expected. A wider appeal to the sick and suffering was needed. Claude C. Hopkins, formerly advertising manager for Dr. Shoop's Restorative (also a cure-all) and perhaps the ablest exponent of his specialty in the country, was brought into the concern and a record-breaking campaign was planned. This cost no little money, but the event proved it a good investment. President Smith's next move showed him to be the master of a silver tongue, for he persuaded the members of a very prominent law firm who were acting as the company's attorneys to take stock in the concern, and two of them to become directors. These gentlemen represent, in Chicago, something more than the high professional standing of their firm; they are prominent socially and forward in civic activities; in short, just the sort of people needed by President Smith to bulwark his dubious enterprise with assured respectability.

The Men Who Back the Fake.

In the Equitable scandal there has been plenty of evidence to show that directors often lend their names to enterprises of which they know practically nothing. This seems to have been the case with the lawyers. One point they brought up: was Liquozone harmful? Positively not, Douglas Smith assured them. On the contrary, it was the greatest boon to the sick in the world's history, and he produced an impressive bulk of testimonials. This apparently satisfied them; they did not investigate the testimonials, but accepted them at their face value. They did not look into the advertising methods of the company; as nearly as I can find out, they never saw an advertisement of Liquozone in the papers until long afterward. They just became stockholders and directors, that is all. They did as hundreds of other upright and well-meaning men had done in lending themselves to a business of which they knew practically nothing.

While the lawyers continued to practice law, Messrs. Smith and Hopkins were running the Liquozone Company. An enormous advertising campaign was begun. Pamphlets were issued containing testimonials and claiming the soundest of professional backing. Indeed, this matter of expert testimony, chemical, medical and bacteriologic, is a specialty of Liquozone. Today, despite its reforms, it is supported by an ingenious system of pseudoscientific charlatanry. In justice to Mr. Hopkins it is but fair to say that he is not responsible for the basic fraud; that the general scheme was devised, and most of the bogus or distorted medical letters arranged, before his advent. But when I came to investigate the product a few months ago I found that the principal defense against attacks consisted of scientific statements which would not bear analysis and medical letters not worth the paper they were written on. In the first place, the Liquozone people have letters from chemists asseverating that the compound is chemically scientific.

Faked and Garbled Indorsements.

IMAGE ==>

ANALYSIS OF LIQUOZONE.

SULPHURIC ACID — About nine-tenths of one per cent.
SULPHUROUS ACID — About three-tenths of one per cent WATER.....
— Nearly ninety-nine per cent.

Sulphuric acid is oil of vitriol. Sulphurous acid is also a corrosive poison. Liquozone is the combination of these two heavily diluted.

Messrs. Dickman, Mackenzie & Potter, of Chicago, furnish a statement to the effect that the product is "made up on scientific principles, contains no substance deleterious to health and is an antiseptic and germicide of the highest order." As chemists the Dickman firm stands high, but if sulphuric and sulphurous acids are not deleterious to their health there must be something peculiar about them as human beings. Mr. Deavitt of Chicago makes affidavit that the preparation is not made by compounding drugs. A St. Louis bacteriologist testifies that it will kill germs (in culture tubes), and that it has apparently brought favorable results in diarrhea, rheumatism and a finger which a guinea-pig had gnawed. These and other technical indorsements are set forth with great pomp and circumstance, but when analyzed they fail to bear out the claims of Liquozone as a medicine. Any past investigation into the nature of Liquozone has brought a flood of "indorsements" down on the investigator, many of them medical. My inquiries have been largely along medical lines, because the makers of the drug claim the private support of many physicians and medical institutions, and such testimony is the most convincing. "Liquozone has the indorsement of an overwhelming number of medical authorities," says one of the pamphlets.

One of the inclosures sent to me was a letter from a young physician on the staff of the Michael Reese Hospital, Chicago, who was paid \$25 to make bacteriologic tests in pure cultures. He reported: "This is to certify

that the fluid Liquozone handed to me for bacteriologic examination has shown bacteriologic and germicidal properties." At the same time he informed the Liquozone agent that the mixture would be worthless medicinally. He writes me as follows: "I have never used or indorsed Liquozone; furthermore, its action would be harmful when taken internally. Can report a case of gastric ulcer due probably to its use."

Later in my investigations I came on this certificate again. It was quoted, in a report on Liquozone, made by the head of a prominent Chicago laboratory for a medical journal, and it was designated "Report made by the Michael Reese Hospital," without comment or investigation. This surprising garbling of the facts may have been due to carelessness, or it may have some connection with the fact that the laboratory investigation was about that time employed to do work for Mr. Douglas Smith, Liquozone's president.

Another document is an enthusiastic "puff" of Liquozone, quoted as being contributed by Dr. W. H. Myers in *The New York Journal of Health*. There is not nor ever has been any such magazine as *The New York Journal of Health*. Dr. W. H. Myers, or some person masquerading under that name, got out a bogus "dummy" (for publication only, and not as guarantee of good faith) at a small charge to the Liquozone people.

For convenience I list several letters quoted or sent to me, with the result of investigations.

The Suffolk Hospital and Dispensary of Boston, through its president, Albert C. Smith, writes: "Our test shows it (Liquozone) to possess great remedial value." The letter I have found to be genuine. But the hospital *medical* authorities say that they know nothing of Liquozone and never prescribe it. If President Smith is prescribing it he is liable to arrest, as he is not an M.D.

A favoring letter from "Dr." Fred W. Porter of Tampa, Fla., is quoted. The Liquozone recipients of the letter forgot to mention that "Dr." Porter is not an M.D., but a veterinary surgeon, as is shown by his letter head.

Dr. George E. Bliss of Maple Rapids, Mich., has used Liquozone for cancer patients. Dr. Bliss writes me, under the flaming headline of his "cancer cure," that his letter is genuine and "not solicited."

Dr. A. A. Bell of Madison, Ga., is quoted as saying: "I found Liquozone to invigorate digestion." He is *not* quoted (although he wrote it) as saying

that his own personal experience with it had shown it to be ineffective. I have seen the original letter, and the unfavorable part of it was blue-penciled.

For a local indorsement of any medicine perhaps as strong a name as could be secured in Chicago is that of Dr. Frank Billings. In the offices of *Collier's* and elsewhere Dr. Billings has been cited by the Liquozone people as one of those medical men who were prevented only by ethical considerations from publicly indorsing their nostrum, but who, nevertheless, privately avowed confidence in it. Here is what Dr. Billings has to say of this:

Chicago, Ill., July 31, 1905.

To the Editor of Collier's Weekly.

Dear Sir:—I have never recommended Liquozone in any way to any one, nor have I expressed to any representative of the Liquozone Company, or to any other person, an opinion favorable to Liquozone. (Signed)

Frank Billings, M.D.

Under the heading, "Some Chicago Institutions which Constantly Employ Liquozone," are cited Hull House, the Chicago Orphan Asylum, the Home for Incurables, the Evanston Hospital and the Old People's Home.

Letters to the institutions elicited the information that Hull House had never used the nostrum, and had protested against the statement; that the Orphan Asylum had experimented with it only for external applications, and with such dubious results that it was soon dropped; that it had been shut out of the Home for Incurables; that a few private patients in the Old People's Home had purchased it, but on no recommendation from the physicians; and that the Evanston Hospital knew nothing of Liquozone and had never used it.

Having a professional interest in the "overwhelming number of medical indorsements" claimed by Liquozone, a Chicago physician, Dr. W. H. Felton, went to the company's offices and asked to see the medical evidence. None was forthcoming; the lists, he was informed, were in the press and could not be shown. He then asked for the official book for physicians advertised by the firm, containing "a great deal of evidence from authorities whom all physicians respect." This also, they said, was "in the

press." As a matter of fact, it has never come out of the press and never will; the special book project has been dropped.

One more claim and I am done with the "scientific evidence." In a pamphlet issued by the company and since withdrawn occurs this sprightly sketch:

"Liquozone is the discovery of Professor Pauli, the great German chemist, who worked for twenty years to learn how to liquefy oxygen. When Pauli first mentioned his purpose men laughed at him. The idea of liquefying gas—of circulating a liquid oxygen in the blood—seemed impossible. But Pauli was one of those men who set their whole hearts on a problem and follow it out either to success or to the grave. So Pauli followed out this problem though it took twenty years. He clung to it through discouragements which would have led any lesser man to abandon it. He worked on it despite poverty and ridicule," etc.

Liquozone Kills a Great German Scientist.

Alas for romance! The scathing blight of the legal mind descended on this touching story. The lawyer-directors would have none of "Professor Pauli, the great German chemist," and Liquozone destroyed him, as it had created him. Not totally destroyed, however, for from those rainbow wrappings, now dissipated, emerges the humble but genuine figure of our old acquaintance, Mr. Powley, the ex-piano man of Toronto. He is the prototype of the Teutonic savant. So much the Liquozone people now admit, with the defence that the change of Powley to Pauli was, at most, a harmless flight of fancy, "so long as we were not attempting to use a name famous in medicine or bacteriology in order to add prestige to the product." A plea which commends itself by its ingeniousness at least.

Gone is "Professor Pauli," and with him much of his kingdom lies. In fact, I believe there is no single definite intentional misstatement in the new Liquozone propaganda. For some months there has been a cessation of all advertising, and an overhauling of materials under the censorship of the lawyer-directors, who were suddenly aroused to the real situation by a storm of protest and criticism, and, rather late in the day, began to "sit up and take notice." The company has recently sent me a copy of the new booklet on which all their future advertising is to be based. The most important of their fundamental misstatements to go by the board is "Liquozone is liquid oxygen."

"Liquozone contains no free oxygen," declares the revision frankly. No testimonials are to be printed. The faked and garbled letters are to be dropped from the files. There is no claim of "overwhelming medical indorsement." Nor is the statement anywhere made that Liquozone will cure any of the diseases in which it is recommended. Yet such is the ingenuity with which the advertising manager has presented his case that the new newspaper exploitation appeals to the same hopes and fears, with the same implied promises, as the old. "I'm well because of Liquozone," in huge type, is followed by the list of diseases "where it applies." And the new list is more comprehensive than the old.

All Ills Look Alike to Liquozone.

IMAGE ==>

Just as to Peruna all illis are catarrh, so to Liquozone every disease is a germ disease. Every statement in the new prospectus of cure "has been submitted to competent authorities, and is exactly true and correct.," declares the recently issued pamphlet, "Liquozone, and Tonic Germicide"; and the pamphlet goes on to ascribe, among other illis, asthma, gout, neuralgia, dyspepsia, goiter and "most forms of kidney, liver and heart troubles" to germs. I don't know just which of the eminent authorities who have been working for the Liquozone Company fathers this remarkable and epoch-making discovery.

Unfortunately, the writer of the Liquozone pamphlet, and the experts who edited it, got a little mixed on their germs in the matter of malaria. "Liquozone is deadly to vegetable matter, but helpful to animals," declares the pamphlet.... "Germs are vegetables"—and that is the reason that Liquozone kills them. But malaria, which Liquozone is supposed to cure, is positively known to be due to animal organisms in the blood, not vegetable. Therefore, if the claims are genuine, liquozone, being "helpful to animals," will aid and abet the malaria organism in his nefarious work, and the Liquozone Company, as well-intentioned men, working in the interests of health, ought to warn all sufferers of this class from use of their animal-stimulator.

The old claim is repeated that nothing enters into the production of Liquozone but gases, water and a little harmless coloring matter, and that the process requires large apparatus and from eight to fourteen days' time. I have seen the apparatus, consisting of huge wooden vats, and can testify to their impressive size. And I have the assurance of several gentlemen whose word (except in print) I am willing to take, that fourteen days' time is employed in impregnating every output of liquid with gas. The result, so far as can be determined chemically or medicinally, is precisely the same as could be achieved in fourteen seconds by mixing the acids with the water. The product is still sulphurous and sulphuric acid heavily diluted, that is all.

Will the compound destroy germs in the human body? This is, after all, the one overwhelmingly important point for determination; for if it will, all the petty fakers and forgery, the liquid oxygen and Professor Pauli and the mythical medical journalism may be forgiven. For more than four months now *Collier's* has been patiently awaiting some proof of the internal germicidal qualities of Liquozone. None has been forthcoming except specious generalities from scientific employés of the company—and testimonials. The value of testimonials as evidence is considered in a later article. Liquozone's are not more convincing than others. Of the chemists and bacteriologists employed by the Liquozone Company there is not one who will risk his professional reputation on the simple and essential statement that Liquozone taken internally kills germs in the human system. One experiment has been made by Mr. Schoen of Chicago, which I am asked to regard as indicating in some degree a deterrent action of Liquozone on the disease of anthrax. Of two guinea-pigs inoculated with anthrax, one which was dosed with Liquozone survived the other, not thus treated, by several hours. Bacteriologists employed by us to make a similar test failed, because of the surprising fact that the dose as prescribed by Mr. Schoen promptly killed the first guinea-pig to which it was administered. A series of guinea-pig tests was then arranged (the guinea-pig is the animal which responds to germ infection most nearly as the human organism responds), at which Dr. Gradwohl, representing the Liquozone Company, was present, and in which he took part. The report follows:

LEDERLE LABORATORIES.

Sanitary, Chemical and Bacteriologic Investigations.

518 FIFTH AVENUE,

NEW YORK CITY.

October 21, 1905,

Anthrax Test. Twenty-four guinea-pigs were inoculated with anthrax bacilli, under the same conditions, the same amount being given to each. The representative of the Liquozone people selected the twelve pigs for

treatment. These animals were given Liquozone in 5 c.c. doses for three hours. In twenty-four hours all pigs were dead—the treated and the untreated ones.

Second Anthrax Test. Eight guinea-pigs were inoculated under the same conditions with a culture of anthrax sent by the Liquozone people. Four of these animals were treated for three hours with Liquozone as in the last experiment. These died also in from thirty-six to forty-eight hours, as did the remaining four.

Diphtheria Test. Six guinea-pigs were inoculated with diphtheria bacilli and treated with Liquozone. They all died in from forty-eight to seventy-two hours. Two out of three controls (i. e., untreated guinea-pigs) remained alive after receiving the same amount of culture.

Tuberculosis Test. Eight guinea-pigs were inoculated with tubercle bacilli. Four of these animals were treated for eight hours with 5 c.c. of a 20 per cent, solution of Liquozole. Four received no Liquozone. At the end of twenty-four days all the animals were killed.

Fairly developed tuberculosis was present in all.

To summarize, we would say that the Liquozone had absolutely no curative effect, but did, when given in pure form, lower the resistance of the animals, so that they died a little earlier than those not treated.

Lederle Laboratories.

By Ernst J. Lederle.

Dr. Gradwohl, representing the Liquozone Company, stated that he was satisfied of the fairness of the tests. He further declared that in his opinion the tests had proved satisfactorily the total ineffectiveness of Liquozone as an internal germicide.

But these experiments show more than that. They show that in so far as Liquozone has any effect, it tends to lower the resistance of the body to an invading disease. That is, in the very germ diseases for which it is advocated, *Liquozone may decrease the chances of the patient's recovery with every dose that is swallowed, but certainly would not increase them.*

In its own field Liquozone is *sui generis*. On the ethical side, however, there are a few "internal germicides," and one of these comes in for mention here, not that it is in the least like Liquozone in its composition, but because by its monstrous claims it challenges comparison.

Since the announcement of this article, and before, *Collier's* has been in receipt of much virtuous indignation from a manufacturer of remedies which, he claims, Liquozone copies. Charles Marchand has been the most active enemy of the Douglas Smith product. He has attacked the makers in print, organized a society, and established a publication mainly devoted to their destruction, and circulated far and wide injurious literature (most of it true) about their product. Of the relative merits of Hydrozone, Glycozone (Marchand's products); and Liquozone, I know nothing; but I know that the Liquozone Company has never in its history put forth so shameful an advertisement as the one reproduced on page 28, IMAGE ==> signed by Marchand, and printed in the New Orleans *States* when the yellow-fever scare was at its height.

And Hydrozone is an "ethical" remedy; its advertisements are to be found in reputable medical journals.

The Same Old Fake.

Partly by reason of Marchand's energy, no nostrum in the country has been so widely attacked as the Chicago product. Occasional deaths, attributed (in some cases unjustly) to its use, have been made the most of, and scores of analyses have been printed, so that in all parts of the country the true nature of the nostrum is beginning to be understood. The prominence of its advertising and the reckless breadth of its claims have made it a shining mark. North Dakota has forbidden its sale. San Francisco has decreed against it; so has Lexington, Ky., and there are signs that it will have a fight for its life soon in other cities. It is this looming danger that impelled Liquozone to an attempted reform last summer. Yet, in spite of the censorship of its legal lights, in spite of the revision of its literature by its scientific experts, in spite of its ingenious avoidance of specifically false claims in the advertising which is being scattered broadcast to-day, Liquozone is now what it was before its rehabilitation, a fraud which owes its continued existence to the laxity of our public health methods and the cynical tolerance of the national conscience.

IV—THE SUBTLE POISONS.

Reprinted from Collier's Weekly, Dec. 2, 1906.

Ignorance and credulous hope make the market for most proprietary remedies. Intelligent people are not given largely to the use of the glaringly advertised cure-alls, such as Liquozone or Peruna. Nostrums there are, however, which reach the thinking classes as well as the readily gulled. Depending, as they do, for their success on the lure of some subtle drug concealed under a trademark name, or some opiate not readily obtainable under its own label, these are the most dangerous of all quack medicines, not only in their immediate effect, but because they create enslaving appetites, sometimes obscure and difficult of treatment, most often tragically obvious. Of these concealed drugs the headache powders are the most widely used, and of the headache powders Orangeine is the most conspicuous.

Orangeine prints its formula. It is, therefore, its proprietors claim, not a secret remedy. But to all intents and purposes it is secret, because to the uninformed public the vitally important word "acetanilid" in the formula means little or nothing. Worse than its secrecy is its policy of careful and dangerous deception. Orangeine, like practically all the headache powders, is simply a mixture of acetanilid with less potent drugs. Of course, there is no orange in it, except the orange hue of the boxes and wrappers which is its advertising symbol. But this is an unimportant deception. The wickedness of the fraud lies in this: that whereas the nostrum, by virtue of its acetanilid content, thins the blood, depresses the heart and finally undermines the whole system, it claims *to strengthen the heart and to produce better blood*. Thus far in the patent medicine field I have not encountered so direct and specific an inversion of the true facts.

Recent years have added to the mortality records of our cities a surprising and alarming number of sudden deaths from heart failure. In the year 1902 New York City alone reported a death rate from this cause of 1.34 per thousand of population; that is about six times as great as the typhoid fever death record. It was about that time that the headache powders were being

widely advertised, and there is every reason to believe that the increased mortality, which is still in evidence, is due largely to the secret weakening of the heart by acetanilid. Occasionally a death occurs so definitely traceable to this poison that there is no room for doubt, as in the following report by Dr. J. L. Miller, of Chicago, in the *Journal of the American Medical Association*, on the death of Mrs. Frances Robson:

"I was first called to see the patient, a young lady, physically sound, who had been taking Orangeine powders for a number of weeks for insomnia. The rest of the family noticed that she was very blue, and for this reason I was called. When I saw the patient she complained of a sense of faintness and inability to keep warm. At this time she had taken a box of six Orangeine powders within about eight hours. She was warned of the danger of continuing the indiscriminate use of the remedy, but insisted that many of her friends had used it and claimed that it was harmless. The family promised to see that she did not obtain any more of the remedy. Three days later, however, I was called to the house and found the patient dead. The family said that she had gone to her room the evening before in her usual health. The next morning, the patient not appearing, they investigated and found her dead. The case was reported to the coroner, and the coroner's verdict was: 'Death was from the effect of an overdose of Orangeine powders administered by her own hand, whether accidentally or otherwise, unknown to the jury.'"

Last July an 18-year-old Philadelphia girl got a box of Orangeine powders at a drug store, having been told that they would cure headache. There was nothing on the label or in the printed matter inclosed with the preparation warning her of the dangerous character of the nostrum. Following the printed advice, she took two powders. In three hours she was dead. Coroner Dugan's verdict follows:

"Mary A. Bispels came to her death from kidney and heart disease, aggravated by poisoning by acetanilid taken in Orangeine headache powders."

Prescribing Without Authority.

Yet this poison is being recommended every day by people who know nothing of it and nothing of the susceptibility of the friends to whom they advocate it. For example, here is a testimonial from the Orangeine booklet:

"Miss A. A. Phillips, 60 Powers street, Brooklyn, writes: 'I always keep Orangeine in my desk at school, and through its frequent applications to the sick I am called both "doctor and magician."'"

If the school herein referred to is a public school, the matter is one for the Board of Education; if a private school, for the Health Department or the county medical society. That a school teacher should be allowed to continue giving, however well meaning her foolhardiness may be, a harmful and possibly fatal dose to the children intrusted to her care seems rather a significant commentary on the quality of watchfulness in certain institutions.

Obscurity as to the real nature of the drug, fostered by careful deception, is the safeguard of the acetanilid vender. Were its perilous quality known, the headache powder would hardly be so widely used. And were the even more important fact that the use of these powders becomes a habit, akin to the opium or cocain habits, understood by the public, the repeated sales which are the basis of Orangeine's prosperity would undoubtedly be greatly cut down. Orangeine fulfills the prime requisite of a patent medicine in being a good "repeater." Did it not foster its own demand in the form of a persistent craving, it would hardly be profitable. Its advertising invites to the formation of an addiction to the drug. "Get the habit," it might logically advertise, in imitation of a certain prominent exploitation along legitimate lines. Not only is its value as a cure for nervousness and headaches insisted on, but its prospective dupes are advised to take this powerful drug as a *bracer*.

"When, as often, you reach home tired in body and mind... take an Orangeine powder, lie down for thirty minutes' nap—if possible—anyway, relax, then take another."

"To induce sleep, take an Orangeine powder immediately before retiring. When wakeful, an Orangeine powder will have a normalizing, quieting effect."

It is also recommended as a good thing to begin the day's work on in the morning—that is, take Orangeine night, morning and between meals!

These powders pretend to cure asthma, biliousness, headaches, colds, catarrh and grip (dose: powder every four hours during the day for a week!—a pretty fair start on the Orangeine habit), diarrhea, hay fever, insomnia, influenza, neuralgia, seasickness and sciatica.

Of course, they do not cure any of these; they do practically nothing but give temporary relief by depressing the heart. With the return to normal conditions of blood circulation comes a recurrence of the nervousness, headache, or what not, and the incentive to more of the drug, until it becomes a necessity. In my own acquaintance I know half a dozen persons who have come to depend on one or another of these headache preparations to keep them going. One young woman whom I have in mind told me quite innocently that she had been taking five or six Orangeine powders a day for several months, having changed from Koehler's powders when some one told her that the latter were dangerous! Because of her growing paleness her husband had called in their physician, but neither of them had mentioned the little matter of the nostrum, having accepted with a childlike faith the asseverations of its beneficent qualities. Yet they were of an order of intelligence that would scoff at the idea of drinking Swamp-Root.

IMAGE ==>

An Acetanilid Death Record.

This list of fatalities is made up from statements published in the newspapers. In every case the person who died had taken to relieve a headache or as a bracer a patent medicine containing acetanilid, without a doctor's prescription. This list does not include the case of a dog in Altoona, Pa., which died immediately on eating some sample headache powders. The dog did not know any better.

Mrs. Minnie Bishop, Louisville, Ky.; Oct. 16, 1903.
*Mrs. Mary Cusick and Mrs. Julia Ward, of 172 Perry Street,
New York City; Nov. 27, 1903.*
Fred. P. Stock, Scranton, Pa.; Dec. 7, 1903.
C. Frank Henderson, Toledo, O.; Dec. 13, 1903.
Jacob E. Staley, St. Paul, Mich.; Feb. 18, 1904.
Charles M. Scott, New Albany, Ind.; March 15, 1904.
Oscar McKinley, Pittsburg, Pa.; April 13, 1904.
Otis Staines, student at Wabash College; April 13, 1904.
Mrs. Florence Rumsey, Clinton, Ia.; April 23, 1904.
Jenny McGee, Philadelphia, Pa.; May 26, 1904.
Mrs. William Mabee, Leoni, Midi.; Sept. 9, 1904.
Mrs. Jacob Friedman, of South Bend, Ind.; Oct. 19, 1904.
Miss Libbie North, Rockdale, N. Y.; Oct. 26, 1904.
Margaret Hanahan, Dayton, O.; Oct. 29, 1904.
Samuel Williamson, New York City; Nov. 21, 1904.
George Kublisch, St. Louis, Mo.; Nov. 24, 1904.
Robert Breck, St. Louis, Mo.; Nov. 27, 1904.
Mrs. Harry Haven, Oriskany Falls, N. Y.; Jan. 17, 1905.
Mrs. Jennie Whyler, Akron, O.; April 3, 1905.
Mrs. Augusta Strothmann, St. Louis, Mo.; June 20, 1905.
Mrs. Mary A. Bispels, Philadelphia, Pa.; July 2, 1905.
Mrs. Thos. Patterson, Huntington, W. Va.; Aug. 15, 1905.

Some of these victims died from an alleged overdose; others from the prescribed dose. In almost every instance the local papers suppressed the name of the fatal remedy, Peruna. That particular victim had the beginning of the typical blue skin pictured in the street-car advertisements of Orangeine (the advertisements are a little mixed, as they put the blue hue on the "before taking," whereas it should go on the "after taking"). And, by the way, I can conscientiously recommend Orangeine, Koehler's powders, Royal Pain powders and others of that class to women who wish for a complexion of a dead, pasty white, verging to a puffy blueness under the eyes and about the lips. Patient use of these drugs will even produce an

interesting and picturesque, if not intrinsically beautiful, purplish-gray hue of the face and neck.

IMAGE ==>



Drugs That Deprave.

Another acquaintance writes me that he is unable to dissuade his wife from the constant use of both Orangeine and Bromo-Seltzer, although her health is breaking down. Often it is difficult for a physician to diagnose these cases because the symptoms are those of certain diseases in which the blood deteriorates, and, moreover, the victim, as in opium and cocain slavery, will positively deny having used the drug. A case of acetanilid addiction (in "cephalgin," an ethical proprietary) is thus reported:

"When the drug was withheld the patient soon began to exhibit all the traits peculiar to the confirmed morphine-maniac—moral depravity and the like. She employed every possible means to obtain the drug, attempting even to bribe the nurse, and, this failing, even members of the family." Another report of a similar case (and there are plenty of them to select from) reads:

"Stomach increasingly irritable; skin a grayish or light purplish hue; palpitation and slight enlargement of the heart; great prostration, with pains in the region of the heart; blood discolored to a chocolate hue. The patient denied that she had been using acetanilid, but it was discovered that for a year she had been obtaining it in the form of a proprietary remedy and had contracted a regular 'habit.' On the discontinuance of the drug the symptoms disappeared. She was discharged from the hospital as cured, but soon returned to the use of the drug and applied for readmission, displaying the former symptoms."

IMAGE ==>

NEW YORK STATE'S NEW POISON LABEL.

On a cocain-laden medicine.

Where I have found a renegade physician making his millions out of Peruna, or a professional promoter trading on the charlatanry of Liquozone, it has seemed superfluous to comment on the personality of the men. They are what their business connotes. With Orangeine the case is somewhat different. Its proprietors are men of standing in other and reputable spheres of activity. Charles L. Bartlett, its president, is a graduate of Yale University and a man of some prominence in its alumni affairs. Orangeine is a side issue with him. Professionally he is the western representative of Ivory Soap, one of the heaviest of legitimate advertisers, and he doubtless learned from this the value of skillful exploitation. Next to Mr. Bartlett, the largest owner of stock (unless he has recently sold out) is William Gillette, the actor, whose enthusiastic indorsement of the powders is known in a personal sense to the profession which he follows, and in print to hundreds of thousands of theater-goers who have read it in their programs. Whatever these gentlemen may think of their product (and I understand that, incredible as it may seem, both of them are constant users of it and genuine believers in it), the methods by which it is sold and the essential and mendacious concealment of its real nature illustrate the level to which otherwise upright and decent men are brought by a business which can not profitably include either uprightness or decency in its methods.

Orangeine is less dangerous, except in extent of use, than many other acetanilid mixtures which are much the same thing under a different name. A friend of mine with a weak heart took the printed dose of Laxative Bromo Quinin and lay at the point of death for a week. There is no word of warning on the label. In many places samples of headache powders are distributed on the doorsteps. The St. Louis Chronicle records a result:

"Huntington, W. Va., Aug. 15, 1905.—While Mrs. Thomas Patterson was preparing supper last evening she was stricken with a violent headache and took a headache powder that had been thrown in at her door the day before. Immediately she was seized with spasms and in an hour she was dead."

That even the lower order of animals is not safe is shown by a canine tragedy in Altoona, Pa., where a prize collie dog incautiously devoured

three sample tablets and died in an hour. Yet the distributing agents of these mixtures do not hesitate to lie about them. Rochester, N. Y., has an excellent ordinance forbidding the distribution of sample medicines, except by permission of the health officer. An agent for Miniature Headache Powders called on Dr. Goler with a request for leave to distribute 25,000 samples.

"What's your formula?" asked the official.

"Salicylate of soda and sugar of milk," replied the traveling man.

"And you pretend to cure headaches with that?" said the doctor. "I'll look into it."

Analysis showed that the powders were an acetanilid mixture. The sample man didn't wait for the result. He hasn't been back to Rochester since, although Dr. Goler is hopefully awaiting him.

Bromo-Seltzer is commonly sold in drug stores, both by the bottle and at soda fountains. The full dose is "a heaping teaspoonful." A heaping teaspoonful of Bromo-Seltzer means about ten grains of acetanilid. The United States Pharmacopeia dose is four grains; five grains have been known to produce fatal results. The prescribed dose of Bromo-Seltzer is dangerous and has been known to produce sudden collapse.

Megrimine is a warranted headache cure that is advertised in several of the magazines. A newly arrived guest at a Long Island house party brought along several lots and distributed them as a remedy for headache and that tired feeling. It was perfectly harmless, she declared; didn't the advertisement say "leaves no unpleasant effects"? As a late dance the night before had left its impress on the feminine members of the house party, there was a general acceptance of the "bracer." That night the local physician visited the house party (on special "rush" invitation), and was well satisfied to pull all his patients through. He had never before seen acetanilid poisoning by wholesale. A Chicago druggist writes me that the wife of a prominent physician buys Megrimine of him by the half-dozen lots secretly. She has the habit.

On October 9, W. H. Hawkins, superintendent of the American Detective Association, a man of powerful physique and apparently in good health, went to a drug store in Anderson, Ind., and took a dose of Dr. Davis' Headache Powders. He then boarded a car for Marion and shortly after fell to the floor, dead. The coroner's verdict is reproduced on page 35. Whether these powders are made by a Dr. W. C. Davis, of Indianapolis, who makes

Anti-Headache, I am unable to state. Anti-Headache describes itself as "a compound of mild ingredients and positively contains no dangerous drugs." It is almost pure acetanilid.

In the "ethical" field the harm done by this class of proprietaries is perhaps as great as in the open field, for many of those which are supposed to be sold only in prescriptions are as freely distributed to the laity as Peruna. And their advertising is hardly different.

Antikamnia, claiming to be an "ethical" remedy, and advertising through the medical press by methods that would, with little alteration, fit any patent painkiller on the market, is no less dangerous or fraudulent than the Orangeine class which it almost exactly parallels in composition. It was at first exploited as a "new synthetical coal-tar derivative," which it isn't and never was. It is simply half or more acetanilid (some analyses show as high as 68 per cent.) with other unimportant ingredients in varying proportions. In a booklet entitled "Light on Pain," and distributed on doorsteps, I find under an alphabetical list of diseases this invitation to form the Antikamnia habit:

IMAGE ==>

"Nervousness (overwork and excesses)—Dose: One Antikamnia tablet every two or three hours.

"Shoppers' or Sightseers' Headache—Dose: Two Antikamnia tablets every three hours.

"Worry (nervousness, 'the blues')—Dose: One or two Antikamnia and Codein tablets every three hours."

Codein is obtained from opium. The codein habit is well known to all institutions which treat drug addictions, and is recognized as being no less difficult to cure than the morphin habit.

The following well-known "remedies" both "ethical" and "patent," depend for their results upon the heart-depressing action of Acetanilid:

Orangeine
Bromo-Seltzer
Megrimine
Anti-Headache
Ammonol
Salacetin

*Royal Pain Powders Dr. Davis's Headache Phenalgin
Cephalgin
Miniature Headache Powders
Powders*

A typical instance of what Antikamnia will do for its users is that of a Pennsylvania merchant, 50 years old, who had declined, without apparent Antikamnia cause, from 140 to 116 pounds, and was finally brought to Philadelphia in a state of stupor. His pulse was barely perceptible, his skin dusky and his blood of a deep chocolate color. On reviving he was questioned as to whether he had been taking headache powders. He had, for several years. What kind? Antikamnia; sometimes in the plain tablets, at other times Antikamnia with codein. How many? About twelve a day. He was greatly surprised to learn that this habit was responsible for his condition.

"My doctor gave it to me for insomnia," he said, and it appeared that the patient had never even been warned of the dangerous character of the drug.

Were it obtainable, I would print here the full name and address of that attending physician, as one unfit, either through ignorance or carelessness, to practice his profession. And there would be other physicians all over the country who would, under that description, suffer the same indictment within their own minds for starting innocent patients on a destructive and sometimes fatal course. For it is the careless or conscienceless physician who gets the customer for the "ethical" headache remedies, and the customer, once secured, pays a profit, very literally, with his own blood. Once having taken Antikamnia, the layman, unless informed as to its true nature, will often return to the drug store and purchase it with the impression that it is a specific drug, like quinin or potassium chlorate, instead of a disguised poison, exploited and sold under patent rights by a private concern. The United States Postoffice, in its broad tolerance, permits the Antikamnia company to send through the mails little sample boxes containing tablets enough to kill an ordinary man, and these samples are sent not only to physicians, as is the rule with ethical remedies, but to lawyers, business men, "brain workers" and other prospective purchasing classes. The box bears the lying statement: "No drug habit—no heart effect."

Just as this is going to press the following significant case comes in from Iowa:

"Farmington, Iowa, Oct. 6.— (Special to the Constitution-Democrat.)— Mrs. Hattie Kick, one of the best and most prominent ladies of Farmington, died rather suddenly Wednesday morning at 10 o'clock from an overdose of Antikamnia, which she took for a severe headache from which she was suffering. Mrs. Kick was subject to severe headaches and was a frequent user of Antikamnia, her favorite remedy for this ailment."

There is but one safeguard in the use of these remedies: to regard them as one would regard opium and to employ them only with the consent of a physician who understands their true nature. Acetanilid has its uses, but not as a generic painkiller. Pain is a symptom; you can drug it away temporarily, but it will return clamoring for more payment until the final price is hopeless enslavement. Were the skull and bones on every box of this class of poison the danger would be greatly minimized.

With opium and cocain the case is different. The very words are danger signals. Legal restrictions safeguard the public, to a greater or less degree, from their indiscriminate use. Normal people do not knowingly take opium or its derivatives except with the sanction of a physician, and there is even spreading abroad a belief (surely an expression of the primal law of self-preservation) that the licensed practitioner leans too readily toward the convenient narcotics.

But this perilous stuff is the ideal basis for a patent medicine because its results are immediate (though never permanent), and it is its own best advertisement in that one dose imperatively calls for another. Therefore it behooves the manufacturer of opiates to disguise the use of the drug. This he does in varying forms, and he has found his greatest success in the "cough and consumption cures" and the soothing syrup class. The former of these will be considered in another article. As to the "soothing syrups," designed for the drugging of helpless infants, even the trade does not know how many have risen, made their base profit and subsided. A few survive, probably less harmful than the abandoned ones, on the average, so that by taking the conspicuous survivors as a type I am at least doing no injustice to the class.

Some years ago I heard a prominent New York lawyer, asked by his office scrub woman to buy a ticket for some "association" ball, say to her: "How can you go to these affairs, Nora, when you have two young children at home?"

"Sure, they're all right," she returned, blithely; "just wan teaspoonful of Winslow's an' they lay like the dead till mornin'."

What eventually became of the scrub woman's children I don't know. The typical result of this practice is described by a Detroit physician who has been making a special study of Michigan's high mortality rate:

"Mrs. Winslow's Soothing Syrup is extensively used among the poorer classes as a means of pacifying their babies. These children eventually come into the hands of physicians with a greater or less addiction to the opium habit. The sight of a parent drugging a helpless infant into a semi-comatose condition is not an elevating one for this civilized age, and it is a very common practice. IMAGE ==> I can give you one illustration from my own hospital experience, which was told me by the father of the girl. A middle-aged railroad man of Kansas City had a small daughter with summer diarrhea. For this she was given a patent diarrhea medicine. It controlled the trouble, but as soon as the remedy was withdrawn the diarrhea returned. At every withdrawal the trouble began anew, and the final result was that they never succeeded in curing this daughter of the opium habit which had taken its hold on her. It was some years afterward that the parents became aware that she had contracted the habit, when the physician took away the patent medicine and gave the girl morphin, with exactly the same result which she had experienced with the patent remedy. At the time the father told me this story his daughter was 19 years of age, an only child of wealthy parents, and one who could have had every advantage in life, but who was a complete wreck in every way as a result of the opium habit. The father told me, with tears in his eyes, that he would rather she had died with the original illness than to have lived to become the creature which she then was." The proprietor of a drug store in San José, Cal., writes to *Collier's* as follows:

IMAGE ==>

"I have a good customer, a married woman with five children, all under 10 years of age. When her last baby was born, about a year ago, the first thing she did was to order a bottle of Winslow's Soothing Syrup, and every week another bottle was bought at first, until now a bottle is bought every third day. Why? Because the baby has become habituated to the drug. I am

not well enough acquainted with the family to be able to say that the weaned children show any present abnormality of health due to the opium contained in the drug, but the after-effects of opium have been thus described.... Another instance, quite as startling, was that of a mother who gave large quantities of soothing syrup to two of her children in infancy; then, becoming convinced of its danger, abandoned its use. These children in middle life became neurotics, spirit and drug-takers. Three children born later and not given any drugs in early life grew up strong and healthy.

"I fear the children of the woman in question will all suffer for their mother's ignorance, or worse, in later life, and have tried to do my duty by sending word to the mother of the harmful nature of the stuff, but without effect.

"P. S.—How many neurotics, fiends and criminals may not 'Mrs. Winslow' be sponsor for?"

This query is respectfully referred to the Anglo-American Drug Company, of New York,' which makes its handsome profit from this slave trade.

Recent legislation on the part of the New York State Board of Pharmacy will tend to decrease the profit, as it requires that a poison label be put on each bottle of the product, as has long been the law in England.

An Omaha physician reports a case of poisoning from a compound bearing the touching name of "Kopp's Baby Friend," which has a considerable sale in the middle west and in central New York. It is made of sweetened water and morphin, about one-third grain of morphin to the ounce.

"The child (after taking four drops) went into a stupor at once, the pupils were pin-pointed, skin cool and clammy, heart and respiration slow. I treated the case as one of opium poisoning, but it took twelve hours before my little patient was out of danger."

As if to put a point of satirical grimness on the matter, the responsible proprietor of this particular business of drugging helpless babies is a woman, Mrs. J. A. Kopp, of York, Pa.

Making cocain fiends is another profitable enterprise. Catarrh powders are the medium. A decent druggist will not sell cocain as such, steadily, to any customer, except on prescription, but most druggists find salve for their

consciences in the fact that the subtle and terrible drug is in the form of somebody's sure cure. There is need to say nothing of the effects of cocain other than that it is destructive to mind and body alike, and appalling in its breaking down of all moral restraint. Yet in New York City it is distributed in "samples" at ferries and railway stations. You may see the empty boxes and the instructive labels littering the gutters of Broadway any Saturday night, when the drug-store trade is brisk.

Simey's Catarrhal Powder, Dr. Cole's Catarrh Cure, Dr. Gray's Catarrh Powder and Crown Catarrh Powder are the ones most in demand. All of them are cocain; the other ingredients are unimportant—perhaps even superfluous.

Whether or not the bottles are labeled with the amount of cocain makes little difference. The habitués know. In one respect, however, the labels help them by giving information as to which nostrum is the most heavily drugged.

"People come in here," a New York City druggist tells me, "ask what catarrh powders we've got, read the labels and pick out the one that's got the most cocain. When I see a customer comparing labels I know she's a fiend."

Naturally these owners and exploiters of these mixtures claim that the small amount of cocain contained is harmless. For instance, the "Crown Cure," admitting 2% per cent., says:

"Of course, this is a very small and harmless amount. Cocain is now considered to be the most valuable addition to modern medicine... it is the most perfect relief known."

Birney's Catarrh Cure runs as high as 4 per cent, and can produce testimonials vouching for its harmlessness. Here is a Birney "testimonial" to the opposite effect, obtained "without solicitation or payment" (I have ventured to put it in the approved form), which no sufferer from catarrh can afford to miss. IMAGE ==>

READ what William Thompson, of Chicago, says of

BIRNEY'S CATARRH CURE.

"Three years ago Thompson was a strong man. Now he is without money, health, home or friends."

(Chicago Tribune.)

"I began taking Birney's Catarrh Cure (says Thompson) three years ago, and the longing for the drug has grown so potent that I suffer without it.

"I followed the directions at first, then I increased the quantity until I bought the stuff by the dozen bottles."

A famous drink and drug cure in Illinois had, as a patient, not long ago, a 14-year-old boy, who was a slave to the Birney brand of cocain. He had run his father \$300 in debt, so heavy were his purchases of the poison.

Chicago long ago settled this cocain matter in the only logical way. The proprietor of a large downtown drug store noticed several years ago that at noon numbers of the shop girls from a great department store purchased certain catarrh powders over his counter. He had his clerk warn them that the powders contained deleterious drugs. The girls continued to purchase in increasing numbers and quantity. He sent word to the superintendent of the store. "That accounts for the number of our girls that have gone wrong of late," was the superintendent's comment. The druggist, Mr. McConnell, had an analysis made by the Board of Health, which showed that the powder most called for was nearly 4 per cent, cocain, whereon he threw it and similar powders out of stock. The girls went elsewhere. Mr. McConnell traced them and started a general movement against this class of remedies, which resulted in an ordinance forbidding their sale. Birney's Catarrhal Powders, as I am informed, to meet the new conditions brought-out a powder without cocain, which had the briefest kind of a sale. For weeks thereafter the downtown stores were haunted by haggard young men and women, who begged for "the old powders; these new ones don't do any good." As high as \$1.00 premium was paid for the 4 per cent, cocain species. To-day the Illinois druggist who sells cocain in this form is liable to arrest. Yet in New York, at the corner of Forty-second street and Broadway, I saw recently a show-window display of the Birney cure, and similar displays are not uncommon in other cities.

Regarding other forms of drugs there may be honest differences of opinion as to the limits of legitimacy in the trade. If mendacious advertising were stopped, and the actual ingredients of every nostrum plainly published and frankly explained, the patent medicine trade might reasonably claim to be a legitimate enterprise in many of its phases. But no label of opium or cocain, though the warning skull and cross-bones cover the bottle, will

excuse the sale of products that are never safely used except by expert advice. I believe that the Chicago method of dealing with the catarrh powders is the right method in cocain- and opium-bearing nostrums. Restrict the drug by the same safeguards when sold under a lying pretence as when it flies its true colors. Then, and then only, will our laws prevent the shameful trade that stupefies helpless babies and makes criminals of our young men and harlots of our young women.

V.—PREYING ON THE INCURABLES.

Reprinted from Collier's Weekly, Jan. 13, 1906.

Incurable disease is one of the strongholds of the patent medicine business. The ideal patron, viewed in the light of profitable business, is the victim of some slow and wasting ailment in which recurrent hope inspires to repeated experiments with any "cure" that offers. In the columns of almost every newspaper you may find promises to cure consumption. Consumption is a disease absolutely incurable by any medicine, although an increasing percentage of consumptives are saved by open air, diet and methodical living. This is thoroughly and definitely understood by all medical and scientific men. Nevertheless there are in the patent medicine world a set of harpies who, for their own business interests, deliberately foster in the mind of the unfortunate sufferer from tuberculosis the belief that he can be saved by the use of some absolutely fraudulent nostrum. Many of these consumption cures contain drugs which hasten the progress of the disease, such as chloroform, opium, alcohol and hasheesh. Others are comparatively harmless in themselves, but for their fervent promises of rescue they delude the sufferer into misplacing his reliance, and forfeiting his only chance by neglecting those rigidly careful habits of life which alone can conquer the "white plague." One and all, the men who advertise medicines to cure consumption deliberately traffic in human life.

IMAGE ==>

Certain members of the Proprietary Association of America (the patent medicine "combine") with whom I have talked have urged on me the claim that there are firms in the nostrum business that are above criticism, and have mentioned H. E. Bucklen & Co., of Chicago, who manufacture a certain salve. The Bucklen salve did not particularly interest me. But when I came to take up the subject of consumption cures I ran unexpectedly on an interesting trail. In the country and small city newspapers there is now being advertised lavishly "Dr. King's New Discovery for Consumption." It

is proclaimed to be the "only sure cure for consumption." Further announcement is made that "it strikes terror to the doctors." As it is a morphin and chloroform mixture, "Dr. King's New Discovery for Consumption" is well calculated to strike terror to the doctors or to any other class or profession, except, perhaps, the undertakers. It is a pretty diabolical concoction to give to any one, and particularly to a consumptive. The chloroform temporarily allays the cough, thereby checking Nature's effort to throw off the dead matter from the lungs. The opium drugs the patient into a deceived cheerfulness. The combination is admirably designed to shorten the life of any consumptive who takes it steadily. Of course, there is nothing on the label of the bottle to warn the purchaser. That would be an example of legitimate advertising in the consumption field.

IMAGE ==>

A TYPICAL FRAUD.

Chloroform and Prussic Acid.

Another "cure" which, for excellent reasons of its own, does not print its formula, is "Shiloh's Consumption Cure," made at Leroy, N. Y., by S. C. Wells & Co. Were it to publish abroad the fact that it contains, among other ingredients, chloroform and prussic acid. Under our present lax system there is no warning on the bottle that the liquid contains one of the most deadly of poisons. The makers write me: "After you have taken the medicine for awhile, if you are not firmly convinced that you are very much better we want you to go to your druggist and get back all the money that you have paid for Shiloh."

IMAGE ==>

IMAGE ==>

IMAGE ==>

But if I were a consumptive, after I had taken "Shiloh" for awhile I should be less interested in recovering my money than in getting back my

wasted chance of life. Would S. C. Wells & Co. guarantee that?

Morphin is the important ingredient of Dr. Bull's Cough Syrup. Nevertheless, the United States Postoffice Department obligingly transmits me a dose of this poison through the mails from A. C. Meyer & Co., of Baltimore, the makers. The firm writes me, in response to my letter of inquiry:

"We do not claim that Dr. Bull's Cough Syrup will cure an established case of consumption. If you have gotten this impression you most likely have misunderstood what we claim.... We can, however, say that Dr. Bull's Cough Syrup has cured cases said to have been consumption in its earliest stages."

Quite conservative, this. But A. C. Meyer & Co. evidently don't follow their own advertising very closely, for around my sample bottle (by courtesy of the Postoffice Department) is a booklet, and from that booklet I quote:

"There is no case of hoarseness, cough, asthma, bronchitis... or consumption that can not be cured speedily by the proper use of Dr. Bull's Cough Syrup."

If this is not a claim that Dr. Bull's Cough Syrup "will cure an established case of consumption," what is it? The inference from Meyer & Co.'s cautious letter is that they realize their responsibility for a cruel and dangerous fraud and are beginning to feel an uneasiness about it, which may be shame or may be only fear. One logical effect of permitting medicines containing a dangerous quantity of poison to be sold without the poison label is shown in the coroner's verdict reproduced on page 47.

IMAGE ==>

In the account of the Keck baby's death from the Dr. Bull opium mixture, which the Cincinnati papers published, there was no mention of the name of the cough syrup. Asked about this, the newspapers gave various explanations. Two of them disclosed that they had no information on the point. This is contrary to the statement of the physician in the case, and implies a reportorial laxity which is difficult to credit. One ascribed the omission to a settled policy and one to the fear of libel. When the coroner's verdict was given out, however, the name of the nostrum got into plain

print. On the whole, the Cincinnati papers showed themselves gratifyingly independent.

Another case of poisoning from this same remedy occurred in Morocco, Ind., the victim being a 2-year-old child. The doctor reports:

"In an hour, when first seen, symptoms of opium poisoning were present. In about twelve hours the child had several convulsions, and spasms followed for another twelve hours at intervals. It then sank into a coma and died in the seventy-two hours with cardiac failure. The case was clearly one of death from overdose of the remedy."

The baby had swallowed a large amount of the "medicine" from a bottle left within its reach. Had the bottle been properly labeled with skull and cross-bones the mother would probably not have let it lie about.

Caution seems to have become a suddenly acquired policy of this class of medicines, in so far as their correspondence goes. Unfortunately, it does not extend to their advertising. The result is a rather painful discrepancy. G. G. Green runs hotels in California and manufactures quack medicines in Woodbury, N. J., one of these being "Boschee's German Syrup," a "consumption cure." Mr. Green writes me (per rubber stamp):

"Consumption can sometimes be cured, but not always. Some cases are beyond cure. However, we suggest that you secure a trial bottle of German Syrup for 25 cents," etc.

On the bottle I read: "Certain cure for all diseases of the throat and lungs." Consumption is a disease of the lungs; sometimes of the throat.

If it "can sometimes be cured, but not always," then the German Syrup is not a "certain cure for all diseases of the throat and lungs," and somebody, as the ill-fated Reingelder put it, "haf lied in brint" on Mr. Green's bottle, which must be very painful to Mr. Green. Mr. Green's remedy contains morphin and some hydrocyanic acid. Therefore consumption will be much less often curable where Boschee's German Syrup is used than where it is not.

Absolutely False Claims.

A curious mixture of the cautious, semi-ethical method and the blatant claim-all patent medicine is offered in the Ozomulsion Company. Ozomulsion does not, like the "cures" mentioned above, contain active poisons. It is one of the numerous cod-liver oil preparations, and its advertising, in the medical journals at first and now in the lay press, is that of a cure for consumption. I visited the offices of the Ozomulsion Company recently and found them duly furnished with a regular physician, who was employed, so he informed me, in a purely ethical capacity. There was also present during the interview the president of the Ozomulsion Company, Mr. A. Frank Richardson, former advertising agent, former deviser of the advertising of Swamp-Root, former proprietor of Kranitonic and present proprietor of Slocum's Consumption Cure, which is the "wicked partner" of Ozomulsion. For convenience I will put the conversation in court report form, and, indeed, it partook somewhat of the nature of a cross-examination:

Q.—Dr. Smith, will Ozomulsion cure consumption?

A.—Ozomulsion builds up the tissues, imparts vigor, aids the natural resistance of the body, etc. (Goes into a long exploitation in the manner and style made familiar by patent medicine pamphlets.)

Q.—But will it cure consumption?

A.—Well, without saying that it is a specific, etc. (Passes to an instructive, entertaining and valuable disquisition on the symptoms and nature of tuberculosis.)

Q.—Yes, but will Ozomulsion cure consumption?

A.—We don't claim that it will cure consumption.

Q.—Does not this advertisement state that Ozomulsion will cure consumption? (SHowing advertisement.)

A.—It seems to.

Q.—Will Ozomulsion cure consumption?

A.—In the early stages of the disease—

Q. (interrupting)—Does the advertisement make any qualifications as to the stage of the disease?

A.—Not that I find.

Q.—Have you ever seen that advertisement before?

A.—Not to my knowledge.

Q.—Who wrote it?

A. (by President Richardson)—I done that ad. myself.

Q.—Mr. Richardson, will Ozomulsion cure consumption?

A.—Sure; we got testimonials to prove it.

Q.—Have you ever investigated any of these testimonials?

Q. (to Dr. Smith)—Dr. Smith, in view of the direct statement of your advertising, do you believe that Ozomulsion will cure consumption?

A.—Well, I believe in a great many cases it will.

Health for Five Dollars.

That is as far as Dr. Smith would go. I wonder what he would have said as to the Dr. T. A. Slocum side of the business. Dr. Slocum puts out a "Special Cure Offer" that will snatch you from the jaws of death, on the blanket plan, for \$6, and guarantees the cure (or more medicine) for \$10. His scheme is so noble and broad-minded that I can not refrain from detailing it. For \$5 you get,

*1 large bottle of Psychine,
1 large bottle of Ozomulsion,
1 large bottle of Coltsfoote Expectorant,
1 large tube of Ozojell,
3 boxes of lazy Liver Pills
3 Hot X-Ray Porous Plaster,*

"which," says the certificate, "will in a majority of cases effect a permanent cure of the malady from which the invalid is now suffering." Whatever ails you—that's what Dr. T. A. Slocum cures. For \$10 you get almost twice the amount, plus the guarantee. Surely there is little left on earth, unless Dr. Slocum should issue a \$15 offer, to include funeral expenses and a tombstone.

The Slocum Consumption Cure proper consists of a gay-hued substance known as "Psychine." Psychine is about 16 per cent, alcohol, and has a dash of strychnin to give the patient his money's worth. Its alluring color is derived from cochineal. It is "an infallible and unfailing remedy for consumption." Ozomulsion is also a sure cure, if the literature is to be believed. To cure one's self twice of the same disease savors of reckless extravagance, but as "a perfect and permanent cure will be the inevitable consequence," perhaps it's worth the money. It would not do to charge Dr. T. A. Slocum with fraud, because he is, I suppose, as dead as Lydia E. Pinkham; but Mr. A. Frank Richardson is very much alive, and I trust it will be no surprise to him to see here stated that his Ozomulsion makes claims that it can not support, that his Psychine is considerably worse, that his special cure offer is a bit of shameful quackery, and that his whole Slocum Consumption Cure is a fake and a fraud so ludicrous that its continued insistence is a brilliant commentary on human credulousness.

Since the early '60s, and perhaps before, there has constantly been in the public prints one or another benefactor of the human race who wishes to bestow on suffering mankind, free of charge, a remedy which has snatched him from the brink of the grave. Such a one is Mr. W. A. Noyes, of Rochester, N. Y. To any one who writes him he sends gratis a prescription which will surely cure consumption. But take this prescription to your druggist and you will fail to get it filled, for the simple reason that the ingenious Mr. Noyes has employed a pharmaceutical nomenclature peculiarly his own. If you wish to try the "Cannabis Sativa Remedy" (which is a mixture of hasheesh and other drugs) you must purchase it direct from the advertiser at a price which assures him an abnormal profit. As Mr. Noyes writes me proposing to give special treatment for my (supposed) case, depending on a diagnosis of sixty-seven questions, I fail to see why he is not liable for practicing medicine without a license.

Piso Grows Cautious.

Piso's Consumption Cure, extensively advertised a year or two ago, is apparently withdrawing from the field, so far as consumption goes, and the Pino people are now more modestly promising to cure coughs and colds. Old analyses give as the contents of Piso's Cure for Consumption alcohol, chloroform, opium and cannabis indica (hasheesh). In reply to an inquiry as to whether their remedy contains morphin and cannabis indica, the Piso Company replies: "Since the year 1872 Piso's Cure has contained no morphin or anything derived from opium." The question as to cannabis indica is not answered. Analysis shows that the "cure" contains chloroform, alcohol and apparently cannabis indica. It is, therefore, another of the remedies which can not possibly cure consumption, but, on the contrary, tend by their poisonous and debilitating drugs to undermine the victim's stamina.

Peruna, Liquozone, Duffy's Malt Whiskey, Pierce's Golden Medical Discovery and the other "blanket" cures include tuberculosis in their lists, claiming great numbers of well-authenticated cures. From the imposing book published by the R. V. Pierce Company, of Buffalo, I took a number of testimonials for investigation; not a large number, for I found the consumption testimonial rather scarce. From fifteen letters I got results in nine cases. Seven of the letters were returned to me marked "unclaimed," of which one was marked "Name not in the dictory," another "No such postoffice in the state" and a third "Deceased." The eighth man wrote that the Golden Medical Discovery had cured his cough and blood-spitting, adding: "It is the best lung medisan I ever used for lung trubble." The last man said he took twenty-five bottles and was cured! Two out of nine seems to me a suspiciously small percentage of traceable recoveries. Much stress has been laid by the Proprietary Association of America through its press committee on the suit brought by R. V. Pierce against the Ladies' Home Journal, the implication being (although the suit has not yet been tried) that a reckless libeler of a noble and worthy business has been suitably punished. In the full appreciation of Dr. Pierce's attitude in the matter of

libel, I wish to state that in so far as its claim of curing consumption is concerned his Golden Medical Discovery is an unqualified fraud.

IMAGE ==>

One might suppose that the quacks would stop short of trying to deceive the medical profession in this matter, yet the "consumption cure" may be found disporting itself in the pages of the medical journals. For instance, I find this advertisement in several professional magazines:

"McArthur's Syrup of Hypophosphites has proved itself, time and time again, to be positively beneficial in this condition [tuberculosis] in the hands of prominent observers, clinicians and, what is more, practicing physicians, hundreds of whom have written their admiring encomiums in its behalf, and it is the enthusiastic conviction of many that *its effect is truly specific*" Which, translated into lay terms, means that the syrup will cure consumption. I find also in the medical press "a sure cure for dropsy," fortified with a picture worthy of Swamp-Root or Lydia Pinkham. Both of these are frauds in attempting to foster the idea that they will *cure* the diseases, and they are none the less fraudulent for being advertised to the medical profession instead of to the laity.

Is there, then, no legitimate advertising of preparations useful in diseases such as tuberculosis? Very little, and that little mostly in the medical journals, exploiting products which tend to build up and strengthen the patient. There has recently appeared, however, one advertisement in the lay press which seems to me a legitimate attempt to push a nostrum. It is reproduced at the beginning of this article. Notice, first, the frank statement that there is no specific for consumption; second, that there is no attempt to deceive the public into the belief that the emulsion will be helpful in all cases. Whether or not Scott's Emulsion is superior to other cod-liver oils is beside the present question. If all patent medicine "copy" were written in the same spirit of honesty as this, I should have been able to omit from this series all consideration of fraud, and devote my entire attention to the far less involved and difficult matter of poison. Unhappily, all of the Scott's Emulsion advertising is not up to this standard. In another newspaper I have seen an excerpt in which the Scott & Bowne Company come perilously near making, if they do not actually make, the claim that their emulsion is a

cure, and furthermore make themselves ridiculous by challenging comparison with another emulsion, suggesting a chemical test and offering, if their nostrum comes out second best, *to give to the institution making the experiment a supply of their oil free for a year*. This is like the German druggist who invented a heart-cure and offered two cases to any one who could prove that it was injurious!

Consumption is not the only incurable disease in which there are good pickings for the birds of prey. In a recent issue of the *New York Sunday American-Journal* I find three cancer cures, one dropsy cure, one "heart-disease soon cured," three epilepsy cures and a "case of paralysis cured." Cancer yields to but one agency—the knife. Epilepsy is either the result of pressure on the brain or some obscure cerebral disease; medicine can never cure it. Heart disease is of many kinds, and a drug that may be helpful in relieving symptoms in one case might be fatal in another. The same is true of dropsy. Medical science knows no "cure" for paralysis. As space lacks to consider individually the nature of each nostrum separately, I list briefly, for the protection of those who read, a number of the more conspicuous swindles of this kind now being foisted on the public:

Rupert Wells' Radiatized Fluid, for cancer.
Miles' Heart Disease Cure.
Miles' Grand Dropsy Cure.
Dr. Tucker's Epilepsy Cure.
Dr. Grant's Epilepsy Cure.
W. H. May's Epilepsy Cure.
Dr. Kline's Epilepsy Cure.
Dr. W. O. Bye's Cancer Cure.
Mason's Cancer Cure.
Dr. Williams' Pink Pills for Pale People,

which are advertised to cure paralysis and are a compound of green vitriol, starch and sugar.

Purchasers of these nostrums not only waste their money, but in many cases they throw away their only chance by delaying proper treatment until it is too late.

Properly, a "cure" known as Bioplasm belongs in this list, but so ingenious are its methods that it deserves some special attention. In some of the *New York papers* a brief advertisement, reading as follows, occupies a conspicuous position.

"After suffering for ten years the torture that only an ataxic can know, Mr. E. P. Burnham, of Delmar, N. Y., has been relieved of all pain and restored to health and strength, and the ability to resume his usual pursuits, by an easily obtained and inexpensive treatment which any druggist can furnish. To any fellow-sufferer who mails him a self-addressed envelope Mr. Burnham sends free this prescription which cured him."—Adv.

Now, people who give away something for nothing, and spend money advertising for a chance to do it, are as rare in the patent medicine business as out of it, and Delmar, N. Y., is not included in any map of Altruria that I have learned of E. P. Burnham, therefore, seemed worth writing to. The answer came back promptly, inclosing the prescription and explaining the advertiser's purpose:

"My only motive in the notice which caught your attention is to help other sufferers. *You owe me nothing. I have nothing to sell.* When you are benefited, however, if you feel disposed and able to send me a contribution to assist me in making this great boon to our fellow-sufferers better known it will be thankfully received and used for that purpose."

I fear that Mr. Burnham doesn't make much money out of grateful correspondents who were cured of locomotor ataxia by his prescription, because locomotor ataxia is absolutely and hopelessly incurable. Where Mr. Burnham gets his reward, I fancy, is from the Bioplasm Company, of 100 William street, New York, whose patent medicine is prescribed for me. I should like to believe that his "only motive is to help other sufferers," but as I find, on investigation, that the advertising agents who handle the "Burnham" account are the Bioplasm Company's agents, I am regretfully compelled to believe that Mr. Burnham, instead of being of the tribe of the good Samaritan, is probably an immediate relative of Ananias. The Bioplasm Company also proposes to cure consumption, and is worthy of a conspicuous place in the Fraud's Gallery of Nostrums.

Even the skin of the Ethiop is not exempt from the attention of the quacks. A colored correspondent writes, asking that I "give a paragraph to these frauds who cater to the vanity of those of my race who insult their Creator in attempting to change their color and hair," and inclose a typical advertisement of "Lustorene," which "straightens kinky, nappy, curly hair," and of "Lustorone Face Bleach," which "whitens the darkest skin" and will "bring the skin to any desired shade or color." Nothing could better

illustrate to what ridiculous lengths the nostrum fraud will go. Of course, the Lustorone business is fraudulent. Some time since a Virginia concern, which advertised to turn negroes white, was suppressed by the Postoffice Department, which might well turn its attention to Lustorone Face Bleach.

There are being exploited in this country to-day more than 100 cures, for diseases that are absolutely beyond the reach of drugs. They are owned by men who know them to be swindles, and who in private conversation will almost always evade the direct statement that their nostrums will "cure" consumption, epilepsy, heart disease and ailments of that nature. Many of them "guarantee" their remedies. They will return your money if you aren't satisfied. And they can afford to. They take the lightest of risks. The real risk is all on the other side. It is their few pennies per bottle against your life. Were the facile patter by which they lure to the bargain a menace to the pocketbook alone, one might regard them only as ordinary followers of light finance, might imagine them filching their gain with the confidential, half-brazen, half-ashamed leer of the thimblerrigger. But the matter goes further and deeper. Every man who trades in this market, whether he pockets the profits of the maker, the purveyor or the advertiser, takes toll of blood. He may not deceive himself here, for here the patent medicine is nakedest, most cold-hearted. Relentless greed sets the trap and death is partner in the enterprise.

VI—THE FUNDAMENTAL FAKES.

Reprinted from Collier's Weekly, Feb. 17, 1906.

Advertising and testimonials are respectively the aggressive and defensive forces of the Great American Fraud. Without the columns of the newspapers and magazines wherein to exploit themselves, a great majority of the patent medicines would peacefully and blessedly fade out of existence. Nearly all the world of publications is open to the swindler, the exceptions being the high-class magazines and a very few independent spirited newspapers. The strongholds of the fraud are dailies, great and small, the cheap weeklies and the religious press. According to the estimate of a prominent advertising firm, above 90 per cent, of the earning capacity of the prominent nostrums is represented by their advertising. And all this advertising is based on the well-proven theory of the public's pitiable ignorance and gullibility in the vitally important matter of health.

Study the medicine advertising in your morning paper, and you will find yourself in a veritable goblin-realm of fakery, peopled with monstrous myths. Here is an amulet in the form of an electric belt, warranted to restore youth and vigor to the senile; yonder a magic ring or a mysterious inhaler, or a bewitched foot-plaster which will draw the pangs of rheumatism from the tortured body "or your money back"; and again some beneficent wizard in St. Louis promises with a secret philtre to charm away deadly cancer, while in the next column a firm of magi in Denver proposes confidently to exorcise the demon of incurable consumption without ever seeing the patient. Is it credible that a supposedly civilized nation should accept such stuff as gospel? Yet these exploitations cited above, while they are extreme, differ only in degree from nearly all patent-medicine advertising. Ponce de Leon, groping toward that dim fountain whence youth springs eternal, might believe that he had found his goal in the Peruna factory, the Liquozone "laboratory" or the Vitæ-Ore plant; his thousands of descendants in this century of enlightenment painfully drag themselves along poisoned trails, following a will-o'-the-wisp that dances above the open graves.

Newspaper Accomplices.

If there is no limit to the gullibility of the public on the one hand, there is apparently none to the cupidity of the newspapers on the other. As the Proprietary Association of America is constantly setting forth in veiled warnings, the press takes an enormous profit from patent-medicine advertising. Mr. Hearst's papers alone reap a harvest of more than half a million dollars per annum from this source. The *Chicago Tribune*, which treats nostrum advertising in a spirit of independence, and sometimes with scant courtesy, still receives more than \$80,000 a year in medical patronage. Many of the lesser journals actually live on patent medicines. What wonder that they are considerate of these profitable customers! Pin a newspaper owner down to the issue of fraud in the matter, and he will take refuge in the plea that his advertisers and not himself are responsible for what appears in the advertising columns. *Caveat emptor* is the implied superscription above this department. The more shame to those publications which prostitute their news and editorial departments to their greed. Here are two samples, one from the Cleveland *Plain-Dealer*, the other from a temperance weekly, Green Goods "Cable News."

The "Ascatco" advertisement, which the *Plain-Dealer* prints as a cablegram, without any distinguishing mark to designate it as an advertisement, of course, emanates from the office of the nostrum, and is a fraud, as the *Plain-Dealer* well knew when it accepted payment, and became partner to the swindle by deceiving its readers. The Vitæ-Ore "editorial" appears by virtue of a full-page advertisement of this extraordinary fake in the same issue.

Whether, because church-going people are more trusting, and therefore more easily befooled than others, or from some more obscure reason, many of the religious papers fairly reek with patent-medicine fakes. Take, for instance, the *Christian Endeavor World*, which is the undenominational organ of a large, powerful and useful organization, unselfishly working toward the betterment of society. A subscriber who recently complained of certain advertisements received the following reply from the business manager of the publication:

"Dear Sir:—Your letter of the 4th comes to me for reply. Appreciating the good spirit in which you write, let me assure you that, to the best of our knowledge and belief, we are not publishing any fraudulent or unworthy medicine advertising. We decline every year thousands of dollars' worth of patent-medicine advertising that we think is either fraudulent or misleading. You would be surprised, very likely, if you could know of the people of high intelligence and good character who are benefited by these medicines. We have taken a great deal of pains to make particular inquiries of our subscribers with respect to this question, and a very large percentage of them are devoted to one or more well-known patent medicines, and regard them as household remedies. Trusting that you will be able to understand that we are acting according to our best and sincerest judgment, I remain, yours very truly,

"The Golden Rule Company,

"George W. Coleman, Business Manager"

Running through half a dozen recent issues of the *Christian Endeavor World*, I find nineteen medical advertisements of, at best, dubious nature. Assuming that the business management of the *Christian Endeavor World* represents normal intelligence, I would like to ask whether it accepts the statement that a pair of "magic foot drafts" applied to the bottom of the feet will cure any and every kind of rheumatism in any part of the body? Further, if the advertising department is genuinely interested in declining "fraudulent or misleading" copy, I would call their attention to the ridiculous claims of Dr. Shoop's medicines, which "cure" almost every disease; to two hair removers, one an "Indian Secret," the other an "accidental discovery," both either fakes or dangerous; to the lying claims of Hall's Catarrh Cure, that it is "a positive cure for catarrh" in all its stages to "Syrup of Figs," which is not a fig syrup, but a preparation of senna; to Dr. Kilmer's Swamp Root, of which the principal medicinal constituent is alcohol; and, finally, to Dr. Bye's Oil Cure for cancer, a particularly cruel swindle on unfortunates suffering from an incurable malady. All of these, with other matter, which for the sake of decency I do not care to detail in these columns, appear in recent issues of the *Christian Endeavor World*, and are respectfully submitted to its management and its readers.

Quackery and Religion.

The Baptist Watchman of Oct. 12, 1905, prints an editorial defending the principle of patent medicines. It would be interesting to know whether the back page of the number has any connection with the editorial. This page is given up to an illustrated advertisement of Vito-Ore, one of the boldest fakes in the whole Frauds' Gallery. Vitæ-Ore claims to be a mineral mined from "an extinct mineral spring," and to contain free iron, free sulphur and free magnesium. It contains no free iron, no free sulphur, and no free magnesium. It announces itself as "a certain and never-failing cure" for rheumatism and Bright's disease, dropsy, blood poisoning, nervous prostration and general debility, among other maladies. Whether it is, as asserted, mined from an extinct spring or bucketed from a sewer has no bearing on its utterly fraudulent character. There is no "certain and never-failing cure" for the diseases in its list, and when the *Baptist Watchman* sells itself to such an exploitation it becomes partner to a swindle not only on the pockets of its readers, but on their health as well. In the same issue I find "Piso's Cure for Consumption,"

"Bye's Cancer Cure,"

"Mrs. M. Summer's Female Remedy,"

"Winslow's Soothing Syrup," and "Juven Pills," somewhat disguised here, but in other mediums openly a sexual weakness "remedy."

A correspondent sends me clippings from *The Christian Century*, leading off with an interesting editorial entitled "Our Advertisers," from which I quote in part:

"We take pleasure in calling the attention of our readers to the high grade of advertising which *The Christian Century* commands. We shall continue to advertise only such companies as we know to be thoroughly reliable. During the past year we have refused thousands of dollars' worth of advertising which other religious journals are running, but which is rated 'objectionable' by the better class of periodicals. Compare our advertising columns with the columns of any other purely religious journal, and let us know what you think of the character of our advertising patrons."

Whether the opinion of a non-subscriber will interest *The Christian Century* I have no means of knowing, but I will venture it. My opinion is that a considerable proportion of its advertisements are such as any right-minded and intelligent publisher should be ashamed to print, and that if its readers accept its endorsement of the advertising columns they will have a very heavy indictment to bring against it. Three "cancer cures," a dangerous "heart cure," a charlatan eye doctor, Piso's Consumption Cure, Dr. Shoop's Rheumatism Cure and Liquozone make up a pretty fair "Frauds' Gallery" for the delectation of *The Christian Century's* readers.

IMAGE ==>

As a convincing argument, many nostrums guarantee, not a cure, as they would have the public believe, but a reimbursement if the medicine is unsatisfactory.

Liquozone does this, and faithfully carries out its agreement. Electro-gen, a new "germicide," which has stolen Liquozone's advertising scheme almost word for word, also promises this. Dr. Shoop's agreement is so worded that the unsatisfied customer is likely to have considerable trouble in getting his money back. Other concerns send their "remedies" free on trial, among these being the ludicrous "magic foot drafts" referred to above. At first thought it would seem that only a cure would bring profit to the makers. But the fact is that most diseases tend to cure themselves by natural means, and the delighted and deluded patient, ascribing the relief to the "remedy," which really has nothing to do with it, sends on his grateful dollar. Where the money is already paid, most people are too inert to undertake the effort of getting it back. It is the easy American way of accepting a swindle as a sort of joke, which makes for the nostrum readers ready profits.

Safe Rewards.

Then there is the "reward for proof" that the proprietary will not perform the wonders advertised. The Liquozone Company offer \$1,000, I believe, for any germ that Liquozone will not kill. This is a pretty safe offer, because there are no restrictions as to the manner in which the unfortunate germ might be maltreated. If the matter came to an issue, the defendants might put their bacillus in the Liquozone bottle and freeze him solid. If that didn't end him, they could boil the ice and save their money, as thus far no germ has been discovered which can survive the process of being made into soup. Nearly all of the Hall Catarrh Cure advertisements offer a reward of \$100 for any case of catarrh which the nostrum fails to cure. It isn't enough, though one hundred times that amount might be worth while; for who doubts that Mr. F. J. Cheney, inventor of the "red clause," would fight for his cure through every court, exhausting the prospective \$100 reward of his opponent in the first round? How hollow the "guarantee" pretence is, is shown by a clever scheme devised by Radam, the quack, years ago, when Shreveport was stricken with yellow fever. Knowing that his offer could not be accepted, he proposed to the United States Government that he should eradicate the epidemic by destroying all the germs with Radam's Microbe Killer, offering to deposit \$10,000 as a guarantee. Of course, the Government declined on the ground that it had no power to accept such an offer. Meantime, Radam got a lot of free advertising, and his fortune was made.

No little stress is laid on "personal advice" by the patent-medicine companies. This may be, according to the statements of the firm, from their physician or from some special expert. As a matter of fact, it is almost invariably furnished by a \$10-a-week typewriter, following out one of a number of "form" letters prepared in bulk for the "personal-inquiry" dupes. Such is the Lydia E. Pinkham method. The Pinkham Company writes me that it is entirely innocent of any intent to deceive people into believing that Lydia E. Pinkham is still alive, and that it has published in several cases statements regarding her demise. It is true that a number of years ago a newspaper forced the Pinkham concern into a defensive admission of Lydia

E. Pinkham's death, but since then the main purpose of the Pinkham advertising has been to befool the feminine public into believing that their letters go to a woman—who died nearly twenty years ago of one of the diseases, it is said, which her remedy claims to cure.

The Immortal Mrs. Pinkham.

True, the newspaper appeal is always "Write to Mrs. Pinkham," and this is technically a saving clause, as there is a Mrs. Pinkham, widow of the son of Lydia E. Pinkham. What sense of shame she might be supposed to suffer in the perpetration of an obvious and public fraud is presumably salved by the large profits of the business. The great majority of the gulls who "write to Mrs. Pinkham" suppose themselves to be addressing Lydia E. Pinkham, and their letters are not even answered by the present proprietor of the name, but by a corps of hurried clerks and typewriters.

You get the same result when you write to Dr. Hartman, of Peruna, for personal guidance. Dr. Hartman himself told me that he took no active part now in the conduct of the Peruna Company. If he sees the letters addressed to him at all, it is by chance. "Dr. Kilmer," of Swamp-Root fame, wants you to write to him about your kidneys. There is no Dr. Kilmer in the Swamp-Root concern, and has not been for many years. Dr. T. A. Slocum, who writes you so earnestly and piously about taking care of your consumption in time, is a myth. The whole "personal medical advice" business is managed by rote, and the letter that you get "special to your case" has been printed and signed before your inquiry ever reached the shark who gets your money.

An increasingly common pitfall is the letter in the newspapers from some sufferer who has been saved from disease and wants you to write and get the prescription free. A conspicuous instance of this is "A Notre Dame Lady's Appeal" to sufferers from rheumatism and also from female trouble. "Mrs. Summers," of Notre Dame, Ill., whose picture in the papers represents a fat Sister of Charity, with the wan, uneasy expression of one who feels that her dinner isn't digesting properly, may be a real lady, but I suspect she wears a full beard and talks in a bass voice, because my letter of inquiry to her was answered by the patent medicine firm of Vanderhoof & Co., who inclosed some sample tablets and wanted to sell me more. There are many others of this class. It is safe to assume that every advertising altruist who pretends to give out free prescriptions is really a quack medicine firm in disguise.

One more instance of bad faith to which the nostrum patron renders himself liable: It is asserted that these letters of inquiry in the patent medicine field are regarded as private. "All correspondence held strictly private and sacredly confidential," advertises Dr. R. V. Pierce, of the Golden Medical Discovery, etc. A Chicago firm of letter brokers offers to send me 50,000 Dr. Pierce order blanks at \$2 a thousand for thirty days; or I can get terms on Ozomulsion, Theodore Noel (Vitæ-Ore), Dr. Stevens' Nervous Debility Cure, Cactus Cure, women's regulators, etc.

With advertisements in the medical journals the public is concerned only indirectly, it is true, but none the less vitally. Only doctors read these exploitations, but if they accept certain of them and treat their patients on the strength of the mendacious statements it is at the peril of the patients. Take, for instance, the Antikammia advertising which appears in most of the high-class medical journals, and which includes the following statements:

*"Do not depress the heart.
Do not produce habit.
Are accurate—safe—sure."*

These three lines, reproduced as they occur in the medical journals, contain five distinct and separate lies—a triumph of condensed mendacity unequalled, so far as I know, in the "cure all" class. For an instructive parallel here are two claims made by Duffy's Malt Whiskey, one taken from a medical journal, and hence "ethical," the other transcribed from a daily paper and therefore to be condemned by all medical men.

Puzzle: Which is the ethical and which the unethical advertisement?

IMAGE ==>

"It is the only cure and preventative [sic] of consumption, pneumonia, grip, bronchitis, coughs, colds, malaria, low fevers and all wasting, weakening, diseased conditions."

"Cures general debility, overwork, la grippe, colds, bronchitis, consumption, malaria, dyspepsia, depression, exhaustion and weakness from whatever cause."

All the high-class medical publications accept the advertising of "McArthur's Syrup of Hypophosphites," which uses the following

statement: "It is the enthusiastic conviction of many (physicians) that its effect is truly specific." That looks to me suspiciously like a "consumption cure" shrewdly expressed in pseudo-ethical terms.

The Germicide Family.

Zymoticine, if one may believe various medical publications, "will prevent microbe proliferation in the blood streams, and acts as an efficient eliminator of those germs and their toxins which are already present." Translating this from its technical language, I am forced to the conviction that Zymoticine is half-brother to Liquozone, and if the latter is illegitimate at least both are children of Beelzebub, father of all frauds. Of the same family are the "ethical" Acetozone and Keimol, as shown by their germicidal claims.

Again, I find exploited to the medical profession, through its own organa, a "sure cure for dropsy."

"Hygeia presents her latest discovery," declares the advertisement, and fortifies the statement with a picture worthy of Swamp-Root or Lydia Pinkham. Every intelligent physician knows that there is no sure cure for dropsy. The alternative implication is that the advertiser hopes to get his profit by deluding the unintelligent of the profession, and that the publications which print his advertisement are willing to hire themselves out to the swindle.

In one respect some of the medical journals are far below the average of the newspapers, and on a par with the worst of the "religious" journals. They offer their reading space for sale. Here is an extract from a letter from the *Medical Mirror* to a well-known "ethical firm":

"Should you place a contract for this issue we shall publish a 300-word report in your interest in our reading columns."

Many other magazines of this class print advertisements as original reading matter calculated to deceive their subscribers.

Back of all patent medicine advertising stands the testimonial. Produce proofs that any nostrum can not in its nature perform the wonders that it boasts, and its retort is to wave aloft its careful horde of letters and cry:

"We rest on the evidence of those we have cured."

The crux of the matter lies in the last word. Are the writers of those, letters really cured? What is the value of these testimonials? Are they

genuine? Are they honest? Are they, in their nature and from their source, entitled to such weight as would convince a reasonable mind?

Three distinct types suggest themselves: The word of grateful acknowledgement from a private citizen, couched in such terms as to be readily available for advertising purposes; the encomium from some person in public life, and the misspelled, illiterate epistle which is from its nature so unconvincing that it never gets into print, and which outnumbers the other two classes a hundred to one. First of all, most nostrums make a point of the mass of evidence. Thousands of testimonials, they declare, just as valuable for their purposes as those they print, are in their files. This is not true. I have taken for analysis, as a fair sample, the "World's Dispensary Medical Book," published by the proprietors of Pierce's Favorite Prescription, the Golden Medical Discovery, Pleasant Pellets, the Pierce Hospital, etc. As the dispensers of several nostrums, and because of their long career in the business, this firm should be able to show as large a collection of favorable letters as any proprietary concern.

Overworked Testimonials.

In their book, judiciously scattered, I find twenty-six letters twice printed, four letters thrice printed and two letters produced four times. Yet the compilers of the book "have to regret" (editorially) that they can "find room only for this comparatively small number in this volume." Why repeat those they have if this is true? If enthusiastic indorsements poured in on the patent medicine people, the Duffy's Malt Whiskey advertising management would hardly be driven to purchasing its letters from the very aged and from disreputable ministers of the gospel. If all the communications were as convincing as those published, the Peruna Company would not have to employ an agent to secure publishable letters, nor the Liquozone Company indorse across the face of a letter from a Mrs. Benjamin Charters: "Can change as we see fit." Many, in fact I believe I may say almost all, of the newspaper-exploited testimonials are obtained at an expense to the firm. Agents are employed to secure them. This costs money. Druggists get a discount for forwarding letters from their customers. This costs money. Persons willing to have their picture printed get a dozen photographs for themselves. This costs money. Letters of inquiry answered by givers of testimonials bring a price—25 cents per letter, usually. Here is a document sent out periodically by the Peruna Company to keep in line its "unsolicited" beneficiaries:

"As you are aware, we have your testimonial to our remedy. It has been some time since we have heard from you, and so we thought best to make inquiry as to your present state of health and whether you still occasionally make use of Peruna. We also want to make sure that we have your present street address correctly, and that you are making favorable answers to such letters of inquiry which your testimonial may occasion. Remember that we allow 25 cents for each letter of inquiry. You have only to send the letter you receive, together with a copy of your reply to the same, and we will forward you 25 cents for each pair of letters.

"We hope you are still a friend of Peruna and that our continued use of your testimonial will be agreeable to you. We are inclosing stamped envelope for reply. Very sincerely yours,

"The Peruna Drug Manufacturing Company,
"Per Carr."

And here is an account of another typical method of collecting this sort of material, the writer being a young New Orleans man, who answered an advertisement in a local paper, offering profitable special work to a news paper man with spare time:

"I found the advertiser to be a woman, the coarseness of whose features was only equaled by the vulgarity of her manners and speech, and whose self-assertiveness was in proportion to her bulk. She proposed that I set about securing testimonials to the excellent qualities of Peruna, which she pronounced 'Pay-Runa,' for which I was to receive a fee of \$5 to \$10, according to the prominence of 'the guy' from whom I obtained it. This I declined flatly. She then inquired whether or not I was a member of any social organizations or clubs in the city, and receiving a positive answer she offered me \$3 for a testimonial, including the statement that Pay-Runa had been used by the members of the Southern Athletic Club with good effects, and raised it to \$5 before I left.

"Upon my asking her what her business was before she undertook the Pay-Runa work, she became very angry. Now, when a female is both very large and very angry, the best thing for a small, thin young man to do is to leave her to her thoughts and the expression thereof. I did it."

[IMAGE: ==>]

No Questions Desired.

Testimonials obtained in this way are, in a sense, genuine; that is, the nostrum firm has documentary evidence that they were given; but it is hardly necessary to state that they are not honest. Often the handling of the material is very careless, as in the case of Doan's Kidney Pills, which ran an advertisement in a Southern city embodying a letter from a resident of that city who had been dead nearly a year. Cause of death, kidney disease.

In a former article I have touched on the matter of testimonials from public men. These are obtained through special agents, through hangers-on of the newspaper business who wheedle them out of congressmen or senators, and sometimes through agencies which make a specialty of that business. A certain Washington firm made a "blanket offer" to a nostrum company of a \$100 joblot of testimonials, consisting of one De Wolf Hopper, one Sarah Bernhardt and six "statesmen," one of them a United States senator. Whether they had Mr. Hopper and Mme. Bernhardt under agreement or were simply dealing in futures I am unable to say, but the offer was made in business-like fashion. And the "divine Sarah" at least seems to be an easy subject for patent medicines, as her letters to them are by no means rare. Congressmen are notoriously easy to get, and senators are by no means beyond range. There are several men now in the United States Senate who have, at one time or another, prostituted their names to the uses of fraud medicines, which they do not use and of which they know nothing. Naval officers seem to be easy marks. Within a few weeks a retired admiral of our navy has besmirched himself and his service by acting as pictorial sales agent for Peruna. If one carefully considers the "testimonials" of this class it will appear that few of the writers state that they have ever tried the nostrum. We may put down the "public man's" indorsement, then, as genuine (documentarily), but not honest. Certainly it can bear no weight with an intelligent reader.

Almost as eagerly sought for as this class of letter is the medical indorsement. Medical testimony exploiting any medicine advertised in the lay press withers under investigation. In the Liquozone article of this series I showed how medical evidence is itself "doctored." This was an extreme

instance, for Liquozone, under its original administration, exhibited less conscience in its methods than any of its competitors that I have encountered. Where the testimony itself is not distorted, it is obtained under false pretences or it comes from men of no standing in the profession. Some time ago Duffy's Malt Whiskey sent out an agent to get testimonials from hospitals. He got them. How he got them is told in a letter from the physician in charge of a prominent Pennsylvania institution:

"A very nice appearing man called here one day and sent in his card, bearing the name of Dr. Blank (I can't recall the name, but wish I could), a graduate of Vermont University. He was as smooth an article as I have ever been up against, and I have met a good many. He at once got down to business and began to talk of the hospitals he had visited, mentioning physicians whom I knew either personally or by reputation. He then brought out a lot of documents for me to peruse, all of which were bona fide affairs, from the various institutions, signed by the various physicians or resident physicians, setting forth the merits or use of 'Duffy's Malt Whiskey.' He asked if I had ever used it. I said yes, but very little, and was at the time using some, a fact, as I was sampling what he handed me. He then placed about a dozen small bottles, holding possibly two ounces, on the table, and said I should keep it, and he would send me two quarts free for use here as soon as he got back."

Getting a Testimonial from a Physician.

"He next asked me if I would give him a testimonial regarding Duffy's Whiskey. I said I did not do such things, as it was against my principles to do so. 'But this is not for publication,' he said. I replied that I had used but little of it, and found it only the same as any other whisky. He then asked if I was satisfied with the results as far as I had used it. I replied that I was. He then asked me to state that much, and I very foolishly said I would, on condition that it was not to be used as an advertisement, and he assured me it would not be used. I then, in a few words, said that 'I (or we) have used and are using Duffy's Malt Whiskey, and are satisfied with the results,' signing my name to the same. He left here, and what was my surprise to receive later on a booklet in which was my testimonial and many others, with cuts of hospitals ranging along with people who had reached 100 years by use of the whisky, while seemingly all ailments save ringbone and spavin were being cured by this wonderful beverage. I was provoked, but was paid as I deserved, for allowing a smooth tongue to deceive me. Duffy's Malt Whiskey has never been inside this place since that day and never will be while I have any voice to prevent it. The total amount used at the time and before was less than half a gallon."

This hospital is still used as a reference by the Duffy people.

Many of the ordinary testimonials which come unsolicited to the extensively advertised nostrums in great numbers are both genuine and honest. What of their value as evidence?

Some years ago, so goes a story familiar in the drug trade, the general agent for a large jobbing house declared that he could put out an article possessing not the slightest remedial or stimulant properties, and by advertising it skillfully so persuade people of its virtues that it would receive unlimited testimonials to the cure of any disease for which he might choose to exploit it. Challenged to a bet, he became a proprietary owner. Within a year he had won his wager with a collection of certified "cures" ranging from anemia to pneumonia. Moreover, he found his venture so profitable that he pushed it to the extent of thousands of dollars of profits. His "remedy" was nothing but sugar. I have heard "Kaskine" mentioned as

the "cure" in the case. It answers the requirements, or did answer them at that time, according to an analysis by the Massachusetts State Board of Health, which shows that its purchasers had been paying \$1 an ounce for pure granulated sugar. Whether "Kaskine" was indeed the subject of this picturesque bet, or whether it was some other harmless fraud, is immaterial to the point, which is that where the disease cures itself, as nearly all diseases do, the medicine gets the benefit of this *viæ medicatriæ naturæ*—the natural corrective force which makes for normal health in every human organism. Obviously, the sugar testimonials can not be regarded as very weighty evidence.

Testimonials for a Magic Ring.

There is being advertised now a finger ring which by the mere wearing cures any form of rheumatism. The maker of that ring has genuine letters from people who believe that they have been cured by it. Would any one other than a believer in witchcraft accept those statements? Yet they are just as "genuine" as the bulk of patent medicine letters and written in as good faith. A very small proportion of the gratuitous indorsements get into the newspapers, because, as I have said, they do not lend themselves well to advertising purposes. I have looked over the originals of hundreds of such letters, and more than 90 per cent, of them—that is a very conservative estimate—are from illiterate and obviously ignorant people. Even those few that can be used are rendered suitable for publication only by careful editing. The geographical distribution is suggestive. Out of 100 specimens selected at random from the Pierce testimonial book, eighty-seven are from small, remote hamlets, whose very names are unfamiliar to the average man of intelligence. Only five are from cities of more than 50,000 inhabitants. Now, Garden City, Kas.; North Yamhill, Ore.; Theresa, Jefferson County, N. Y.; Parkland, Ky., and Forest Hill, W. Va., may produce an excellent brand of Americanism, but one does not look for a very high average of intelligence in such communities. Is it only a coincidence that the mountain districts of Kentucky, West Virginia and Tennessee, recognized as being the least civilized parts of the country, should furnish a number of testimonials, not only to Pierce, but to Peruna, Paine's Celery Compound and other brands, out of all proportion to their population? On page 65 is a group of Pierce enthusiasts and a group of Peruna witnesses. Should you, on the face of this exhibit, accept their advice on a matter wholly affecting your physical welfare? This is what the advertiser is asking you to do.

Secure as is the present control of the Proprietary Association over the newspapers, there is one point in which I believe almost any journal may be made to feel the force of public opinion, and that is the matter of common decency. Newspapers pride themselves on preserving a respectable moral standard in their news columns, and it would require no great pressure on the part of the reading public (which is surely immediately interested) to

extend this standard to the advertising columns. I am referring now not only to the unclean sexual, venereal and abortion advertisements which deface the columns of a majority of papers, but also to the exploitation of several prominent proprietaries.

Recently a prominent Chicago physician was dining *en famille* with a friend who is the publisher of a rather important paper in a Western city. The publisher was boasting that he had so established the editorial and news policy of his paper that every line of it could be read without shame in the presence of any adult gathering.

"Never anything gets in," he declared, "that I couldn't read at this table before my wife, son and daughter."

The visitor, a militant member of his profession, snuffed battle from afar. "Have the morning's issue brought," he said. Turning to the second page he began on Swift's Sure Specific, which was headed in large black type with the engaging caption, "Vile, Contagious Blood Poison." Before he had gone far the 19-year-old daughter of the family, obedient to a glance from the mother, had gone to answer an opportune ring at the telephone, and the publisher had grown very red in the face.

"I didn't mean the advertisements," he said.

"I did," said the visitor, curtly, and passed on to one of the extremely intimate, confidential and highly corporeal letters to the ghost of Lydia E. Pinkham, which are a constant ornament of the press. The publisher's son interrupted:

"I don't believe that was written for me to hear," he observed. "I'm too young—only 25, you know. Call me when you're through. I'll be out looking at the moon."

Relentlessly the physician turned the sheet and began on one of the Chattanooga Medical Company's physiological editorials, entitled "What Men Like in a Girl." For loathsome and gratuitous indecency, for leering appeal to their basest passions, this advertisement and the others of the Wine of Cardui series sound the depths. The hostess lasted through the second paragraph, when she fled, gasping.

"Now," said the physician to his host, "what do you think of yourself?"

The publisher found no answer, but thereafter his paper was put under a censorship of advertising. Many dailies refuse such "copy" as this of Wine

of Cardui. And here, I believe, is an opportunity for the entering wedge. If every subscriber to a newspaper who is interested in keeping his home free from contamination would protest and keep on protesting against advertising foulness of this nature, the medical advertiser would soon be restricted to the same limits of decency which other classes of merchandise accept as a matter of course, for the average newspaper publisher is quite sensitive to criticism from his readers. A recent instance came under my own notice in the case of the *Auburn* (N. Y.) *Citizen*, which bought out an old-established daily, taking over the contracts, among which was a large amount of low-class patent medicine advertising. The new proprietor, a man of high personal standards, assured his friends that no objectionable matter would be permitted in his columns. Shortly after the establishment of the new paper there appeared an advertisement of Juven Pills, referred to above. Protests from a number of subscribers followed. Investigation showed that a so-called "reputable" patent medicine firm had inserted this disgraceful paragraph under their contract. Further insertions of the offending matter were refused and the Hood Company meekly accepted the situation. Another central New York daily, the *Utica Press*, rejects such "copy" as seems to the manager indecent, and I have yet to hear of the paper's being sued for breach of contract. No perpetrator of unclean advertising can afford to go to court on this ground, because he knows that his matter is indefensible.

Our national quality of commercial shrewdness fails us when we go into the open market to purchase relief from suffering. The average American, when he sets out to buy a horse, or a house, or a box of cigars, is a model of caution. Show him testimonials from any number of prominent citizens and he would simply scoff. He will, perhaps, take the word of his life-long friend, or of the pastor of his church, but only after mature thought, fortified by personal investigation. Now observe the same citizen seeking to buy the most precious of all possessions, sound health. Anybody's word is good enough for him here. An admiral whose puerile vanity has betrayed him into a testimonial; an obliging and conscienceless senator; a grateful idiot from some remote hamlet; a renegade doctor or a silly woman who gets a bonus of a dozen photographs for her letter—any of these are sufficient to lure the hopeful patient to the purchase. He wouldn't buy a second-hand bicycle on the affidavit of any of them, but he will give up his dollar and take his chance of poison on a mere newspaper statement which he doesn't

even investigate. Every intelligent newspaper publisher knows that the testimonials which he publishes are as deceptive as the advertising claims are false. Yet he salves his conscience with the fallacy that the moral responsibility is on the advertiser and the testimonial-giver. So it is, but the newspaper shares it. When an aroused public sentiment shall make our public men ashamed to lend themselves to this charlatanry, and shall enforce on the profession of journalism those standards of decency in the field of medical advertising which apply to other advertisers, the Proprietary Association of America will face a crisis more perilous than any threatened legislation. For printers' ink is the very life-blood of the noxious trade. Take from the nostrum vendors the means by which they influence the millions, and there will pass to the limbo of pricked bubbles a fraud whose flagrancy and impudence are of minor import compared to the cold-hearted greed with which it grinds out its profits from the sufferings of duped and eternally hopeful ignorance.

THE PATENT MEDICINE CONSPIRACY AGAINST THE FREEDOM OF THE PRESS.

Reprinted from Collier's Weekly, Nov. 4, 1905.

*"Here shall the Press the People's rights maintain.
Unawed by influence and unbribed by gain."*

—Joseph Story: Motto of the Salem Register.

Would any person believe that there is any one subject upon which the newspapers of the United States, acting in concert, by prearrangement, in obedience to wires all drawn by one man, will deny full and free discussion? If such a thing is possible, it is a serious matter, for we rely upon the newspapers as at once the most forbidding preventive and the swiftest and surest corrective of evil. For the haunting possibility of newspaper exposure, men who know not at all the fear of God pause, hesitate, and turn back from contemplated rascality. For fear "it might get into the papers," more men are abstaining from crime and carouse to-night than for fear of arrest. But these are trite things—only, what if the newspapers fail us? Relying so wholly on the press to undo evil, how shall we deal with that evil with which the press itself has been seduced into captivity?

In the Lower House of the Massachusetts Legislature one day last March there was a debate which lasted one whole afternoon and engaged some twenty speakers, on a bill providing that every bottle of patent medicine sold in the state should bear a label stating the contents of the bottle. More was told concerning patent medicines that afternoon than often comes to light in a single day. The debate at times was dramatic—a member from Salem told of a young woman of his acquaintance now in an institution for inebriates as the end of an incident which began with patent medicine dosing for a harmless ill. There was humor, too, in the debate—Representative Walker held aloft a bottle of Peruna bought by him in a drug store that very day and passed it around for his fellow-members to taste and decide for themselves whether Dr. Harrington, the Secretary of the State

Board of Health, was right when he told the Legislative Committee that it was merely a "cheap cocktail."

The Papers did not Print One Word.

In short, the debate was interesting and important—the two qualities which invariably ensure to any event big headlines in the daily newspapers. But that debate was not celebrated by big headlines, nor any headlines at all. Yet Boston is a city, and Massachusetts is a state, where the proceedings of the legislature figure very large in public interest, and where the newspapers respond to that interest by reporting the sessions with greater fullness and minuteness than in any other state. Had that debate been on prison reform, on Sabbath observance, the early closing saloon law, on any other subject, there would have been, in the next day's papers, overflowing accounts of verbatim report, more columns of editorial comment, and the picturesque features of it would have ensured the attention of the cartoonist.

Now why? Why was this one subject tabooed? Why were the daily accounts of legislative proceedings in the next day's papers abridged to a fraction of their usual ponderous length, and all reference to the afternoon debate on patent medicines omitted? Why was it in vain for the speakers in that patent-medicine debate to search for their speeches in the next day's newspapers? Why did the legislative reporters fail to find their work in print? Why were the staff cartoonists forbidden to exercise their talents on that most fallow and tempting opportunity—the members of the Great and General Court of Massachusetts gravely tipping Peruna and passing the bottle around to their encircled neighbors, that practical knowledge should be the basis of legislative action?

I take it if any man should assert that there is one subject on which the newspapers of the United States, acting in concert and as a unit, will deny full and free discussion, he would be smiled at as an intemperate fanatic. The thing is too incredible. He would be regarded as a man with a delusion. And yet I invite you to search the files of the daily newspapers of Massachusetts for March 16, 1905, for an account of the patent-medicine debate that occurred the afternoon of March 15 in the Massachusetts Legislature. In strict accuracy it must be said that there was one exception. Any one familiar with the newspapers of the United States will already have named it—the *Springfield Republican*. That paper, on two separate occasions, gave several columns to the record of the proceedings of the

legislature on the patent-medicine bill. Why the otherwise universal silence?

The patent-medicine business in the United States is one of huge financial proportions. The census of 1900 placed the value of the annual product at \$59,611,355. Allowing for the increase of half a decade of rapid growth, it must be to-day not less than seventy-five millions. That is the wholesale price. The retail price of all the patent medicines sold in the United States in one year may be very conservatively placed at one hundred million dollars. And of this one hundred millions which the people of the United States pay for patent medicines yearly, fully forty millions goes to the newspapers. Have patience! I have more to say than merely to point out the large revenue which newspapers receive from patent medicines, and let inference do the rest. Inference has no place in this story. There are facts aplenty. But it is essential to point out the intimate financial relation between the newspapers and the patent medicines. I was told by the man who for many years handled the advertising of the Lydia E. Pinkham Company that their expenditure was \$100,000 a month, \$1,200,000 a year. Dr. Pierce and the Peruna Company both advertise more extensively than the Pinkham Company. Certainly there are at least five patent-medicine concerns in the United States who each pay out to the newspapers more than one million dollars a year. When the Dr. Greene Nervura Company of Boston went into bankruptcy, its debts to newspapers for advertising amounted to \$535,000. To the Boston *Herald* alone it owed \$5,000, and to so small a paper, comparatively, as the Atlanta *Constitution* it owed \$1,500. One obscure quack doctor in New York, who did merely an office business, was raided by the authorities, and among the papers seized there were contracts showing that within a year he had paid to one paper for advertising \$5,856.80; to another \$20,000. Dr. Humphreys, one of the best known patent-medicine makers, has said to his fellow-members of the Patent Medicine Association: "The twenty thousand newspapers of the United States make more money from advertising the proprietary medicines than do the proprietors of the medicines themselves.... Of their receipts, one-third to one-half goes for advertising." More than six years ago, Cheney, the president of the National Association of Patent Medicine Men, estimated the yearly amount paid to the newspapers by the larger patent-medicine concerns at twenty million dollars—more than one thousand dollars to each daily, weekly and monthly periodical in the United States.

IMAGE ==>



Silence is the Fixed Quantity.

Does this throw any light on the silence of the Massachusetts papers?

Naturally such large sums paid by the patent-medicine men to the newspapers suggest the thought of favor. But silence is too important a part of the patent-medicine man's business to be left to the capricious chance of favor. Silence is the most important thing in his business. The ingredients of his medicine—that is nothing. Does the price of goldenseal go up? Substitute whisky. Does the price of whisky go up? Buy the refuse wines of the California vineyards. Does the price of opium go too high, or the public fear of it make it an inexpedient thing to use? Take it out of the formula and substitute any worthless barnyard weed. But silence is the fixed quantity—silence as to the frauds he practices; silence as to the abominable stewings and brewings that enter into his nostrum; silence as to the deaths and sicknesses he causes; silence as to the drug fiends he makes, the inebriate asylums he fills. Silence he must have. So he makes silence a part of the contract.

Read the significant silence of the Massachusetts newspapers in the light of the following contracts for advertising. They are the regular printed form used by Hood, Ayer and Munyon in making their advertising contracts with thousands of newspapers throughout the United States.

On page 80 IMAGE ==> is shown the contract made by the J. C. Ayer Company, makers of Ayer's Sarsaparilla. At the top is the name of the firm, "The J. C. Ayer Company, Lowell,, Mass.," and the date. Then follows a blank for the number of dollars, and then the formal contract: "We hereby agree, for the sum of..... Dollars per year,.....to insert in the..... published at..... the advertisement of the J. C. Ayer Company." Then follow the conditions as to space to be used each issue, the page the advertisement is to be on and the position it is to occupy. Then these two remarkable conditions of the contract: "First—It is agreed in case any law or laws are enacted, either state or national, harmful to the interests of the T. C. Ayer Company, that this contract may be canceled by them from date of such enactment, and the insertions made paid for pro-rata with the contract price."

This clause is remarkable enough. But of it more later. For the present examine the second clause: "Second—It is agreed that the J. C. Ayer Co. may cancel this contract, pro-rata, in case advertisements are published in this paper in which their products are offered, with a view to substitution or other harmful motive; also in case any matter otherwise detrimental to the J. C. Ayer Company's interest is permitted to appear in the reading columns or elsewhere in the paper."

This agreement is signed in duplicate, one by the J. C. Ayer Company and the other one by the newspaper.

All Muzzle-Clauses Alike.

That is the contract of silence. (Notice the next one, in identically the same language, bearing the name of the C. I. Hood Company, the other great manufacturer of sarsaparilla; and then the third—again in identically the same words—for Dr. Munyon.) That is the clause which with forty million dollars, muzzles the press of the country. I wonder if the Standard Oil Company could, for forty million dollars, bind the newspapers of the United States in a contract that "no matter detrimental to the Standard Oil Company's interests be permitted to appear in the reading columns or elsewhere in this paper."

Is it a mere coincidence that in each of these contracts the silence clause is framed in the same words? Is the inference fair that there is an agreement among the patent-medicine men and quack doctors each to impose this contract on all the newspapers with which it deals, one reaching the newspapers which the other does not, and all combined reaching all the papers in the United States, and effecting a universal agreement among newspapers to print nothing detrimental to patent medicines? You need not take it as an inference. I shall show it later as a fact.

IMAGE ==>

"In the reading columns or elsewhere in this paper." The paper must not print itself, nor must it allow any outside party, who might wish to do so, to pay the regular advertising rates and print the truth about patent medicines in the advertising columns. More than a year ago, just after Mr. Bok had printed his first article exposing patent medicines, a business man in St. Louis, a man of great wealth, conceived that it would help his business greatly if he could have Mr. Bok's article printed as an advertisement in every newspaper in the United States. He gave the order to a firm of advertising agents and the firm began in Texas, intending to cover the country to Maine. But that advertisement never got beyond a few obscure country papers in Texas. The contract of silence was effective; and a few weeks later, at their annual meeting, the patent-medicine association

"Resolved"—I quote the minutes—"That this Association commend the action of the great majority of the publishers of the United States who have consistently refused said false and malicious attacks in the shape of advertisements which in whole or in part libel proprietary medicines."

I have said that the identity of the language of the silence clause in several patent-medicine advertising contracts suggests mutual understanding among the nostrum makers, a preconceived plan; and I have several times mentioned the patent-medicine association. It seems incongruous, almost humorous, to speak of a national organization of quack doctors and patent-medicine makers; but there is one, brought together for mutual support, for co-operation, for—but just what this organization is for, I hope to show. No other organization ever demonstrated so clearly the truth that "in union there is strength." Its official name is an innocent-seeming one—"The Proprietary Association of America." There are annual meetings, annual reports, a constitution, by-laws. And I would call special attention to Article II of those by-laws.

"The objects of this association," says this article, "are: to protect the rights of its members to the respective trade-marks that they may own or control; to establish such mutual co-operation as may be required in the various branches of the trade; to reduce all burdens that may be oppressive; to facilitate and foster equitable principles in the purchase and sale of merchandise; to acquire and preserve for the use of its members such business information as may be of value to them; to adjust controversies and promote harmony among its members."

That is as innocuous a statement as ever was penned of the objects of any organization. It might serve for an organization of honest cobblers. Change a few words, without altering the spirit in the least, and a body of ministers might adopt it. In this laboriously complete statement of objects, there is no such word as "lobby" or "lobbying." Indeed, so harmless a word as "legislation" is absent—strenuously absent.

Where the Money Goes.

But I prefer to discover the true object of the organization of the "Proprietary Association of America" in another document than Article II of the by-laws. Consider the annual report of the treasurer, say for 1904. The total of money paid out during the year was \$8,516.26. Of this, one thousand dollars was for the secretary's salary, leaving \$7,516.26 to be accounted for. Then there is an item of postage, one of stationery, one of printing—the little routine expenses of every organization; and finally there is this remarkable item:

Legislative Committee, total expenses, \$6,606.95.

Truly, the Proprietary Association of America seems to have several objects, as stated in its by-laws, which cost it very little, and one object—not stated in its by-laws at all—which costs it all its annual revenue aside from the routine expenses of stationery, postage and secretary. If just a few more words of comment may be permitted on this point, does it not seem odd that so large an item as \$6,606.95, out of a total budget of only \$8,516.26, should be put in as a lump sum, "Legislative Committee, total expenses"? And would not the annual report of the treasurer of the Proprietary Association of America be a more entertaining document if these "total expenses" of the Legislative Committee were carefully itemized?

IMAGE ==>

Not that I mean to charge the direct corruption of legislatures. The Proprietary Association of America used to do that. They used to spend, according to the statement of the present president of the organization, Mr. F. J. Cheney, as much as seventy-five thousand dollars a year. But that was before Mr. Cheney himself discovered a better way. The fighting of public health legislation is the primary object and chief activity, the very *raison d'etre*, of the Proprietary Association. The motive back of bringing the quack doctors and patent-medicine manufacturers of the United States into a mutual organization was this: Here are some scores of men, each paying a

large sum annually to the newspapers. The aggregate of these sums is forty million dollars. By organization, the full effect of this money can be got and used as a unit in preventing the passage of laws which would compel them to tell the contents of their nostrums, and in suppressing the newspaper publicity which would drive them into oblivion. So it was no mean intellect which devised the scheme whereby every newspaper in America is made an active lobbyist for the patent-medicine association. The man who did it is the present president of the organization, its executive head in the work of suppressing public knowledge, stifling public opinion and warding off public health legislation, the Mr. Cheney already mentioned. He makes a catarrh cure which, according to the Massachusetts State Board of Health, contains fourteen and three-fourths per cent, of alcohol. As to his scheme for making the newspapers of America not only maintain silence, but actually lobby in behalf of the patent medicines, I am glad that I am not under the necessity of describing it in my own words. It would be easy to err in the direction that makes for incredulity. Fortunately, I need take no responsibility. I have Mr. Cheney's own words, in which he explained his scheme to his fellow-members of the Proprietary Association of America. The quotation marks alone (and the comment within the parentheses) are mine. The remainder is the language of Mr. Cheney himself:

Mr. Cheney's Plan.

"We have had a good deal of difficulty in the last few years with the different legislatures of the different states.... I believe I have a plan whereby we will have no difficulty whatever with these people. I have used it in my business for two years and know it is a practical thing.... I, inside of the last two years, have made contracts with between fifteen and sixteen thousand newspapers, and never had but one man refuse to sign the contract, and my saying to him that I could not sign a contract without this clause in it he readily signed it. My point is merely to shift the responsibility. We to-day have the responsibility on our shoulders. As you all know, there is hardly a year but we have had a lobbyist in the different state legislatures—one year in New York, one year in New Jersey, and so on." (Read that frank confession twice—note the bland matter-of-factness of it.) "There has been a constant fear that something would come up, so I had this clause in my contract added. This is what I have in every contract I make: 'It is hereby agreed that should your state, or the United States Government, pass any law that would interfere with or restrict the sale of proprietary medicines, this contract shall become void.'... In the state of Illinois a few years ago they wanted to assess me three hundred dollars. I thought I had a better plan than this, so I wrote to about forty papers and merely said: 'Please look at your contract with me and take note that if this law passes you and I must stop doing business, and my contracts cease.'" The next week every one of them had an article, and Mr. Man had to go....

I read this to Dr. Pierce some days ago and he was very much taken up with it. I have carried this through and know it is a success. I know the papers will accept it. Here is a thing that costs us nothing. We are guaranteed against the \$75,000 loss for nothing. It throws the responsibility on the newspapers.... I have my contracts printed and I have this printed in red type, right square across the contract, so there can be absolutely no mistake, and the newspaper man can not say to me, 'I did not see it.' He did see it and knows what he is doing. It seems to me it is a point worth every man's attention.... I think this is pretty near a sure thing.

IMAGE ==>

THIS IS THE FORM OF CONTRACT—SEE (A) (B) (C)—THAT MUZZLES THE PRESS OF THE UNITED STATES.

The gist of the contract lies in the clause which is marked with brackets, to the effect that the agreement is voidable, In case any matter detrimental to the advertiser's interests "Is permitted to appear in the reading columns, or elsewhere, in this paper." This clause, in the same words, appears in all three of these patent-medicine advertising contracts. The documents reproduced here were gathered from three different newspapers in widely separated parts of the United States. The name of the paper in each case has been suppressed in order to shield the publisher from the displeasure of the patent-medicine combination. How much publishers are compelled to fear this displeasure is exemplified by the experience of the *Cleveland Press*, from whose columns \$18,000 worth of advertising was withdrawn within forty-eight hours.

I should like to ask the newspaper owners and editors of America what they think of that scheme. I believe that the newspapers, when they signed each individual contract, were not aware that they were being dragooned into an elaborately thought-out scheme to make every newspaper in the United States, from the greatest metropolitan daily to the remotest country weekly, an active, energetic, self-interested lobbyist for the patent-medicine association. If the newspapers knew how they were being used as cat's-paws, I believe they would resent it. Certainly the patent-medicine association itself feared this, and has kept this plan of Mr. Cheney's a careful secret. In this same meeting of the Proprietary Association of America, just after Mr. Cheney had made the speech quoted above, and while it was being resolved that every other patent-medicine man should put the same clause in his contract, the venerable Dr. Humphreys, oldest and wisest of the guild, arose and said: "Will it not be now just as well to act on this, each and every one for himself, instead of putting this on record?... I think the idea is a good one, But really don't think it had better go in our proceedings." And another fellow nostrum-maker, seeing instantly the necessity of secrecy said: "I am heartily in accord with Dr. Humphreys. The suggestion is a good one, but when we come to put in our public proceedings, and state that we have adopted such a resolution, I want to say

that the legislators are just as sharp as the newspaper men.... As a consequence, this will decrease the weight of the press comments. Some of the papers, also, who would not come in, would publish something about it in the way of getting square....."

IMAGE ==>

This contract is the backbone of the scheme. The further details, the organization of the bureau to carry it into effect—that, too, has been kept carefully concealed from the generally unthinking newspapers, who are all unconsciously mere individual cogs in the patent-medicine lobbying machine. At one of the meetings of the association, Dr. R. V. Pierce of Buffalo arose and said (I quote him verbatim):... "I would move you that the report of the Committee on Legislation be made a special order to be taken up immediately... that it be considered in executive session, and that every person not a member of the organization be asked to retire, so that it may be read and considered in executive session. There are matters and suggestions in reference to our future action, and measures to be taken which are advised therein, that we would not wish to have published broadcast over the country for very good reasons."

Now what were the "matters and suggestions" which Dr. Pierce "would not wish to have published broadcast over the country for very good reasons?"

Can Mr. Cheney Reconcile These Statements?

Letter addressed to Mr. William Allen White, Editor of the Gazette, Emporia, Kan.

By Frank J. Cheney.

Dear Sir—

I have read with a great deal of interest, to-day, an article in Colliers illustrating therein the contract between your paper and ourselves, [see p. 18—Editor.] Mr. S. Hopkins Adams endeavored very hard (as I understand) to find me, but I am sorry to say that I was not at home. I really believe that I could have explained that clause of the contract to his entire satisfaction, and thereby saved him the humiliation of making an erratic statement.

This is the first intimation that I ever have had that that clause was put into the contract to control the Press in any way, or the editorial columns of the Press. I believe that if Mr. Adams was making contracts now, and making three-year contracts, the same as we are, taking into consideration the conditions of the different legislatures, he would be desirous of this same paragraph as a safety guard to protect himself, in case any State did pass a law prohibiting the sale of our goods.

His argument surely falls flat when he takes into consideration the conduct of the North Dakota Legislature, because every newspaper in that State that we advertise in hid contracts containing that clause. Why we should be compelled to pay for from one to two years' advertising or more, in a State where we could not sell our goods, is more than I can understand. As before stated, it is merely a precautionary paragraph to meet conditions such as now exist in North Dakota. We were compelled to withdraw from that State because we would not publish our formula, and, therefore, under this contract, we are not compelled to continue our advertising.

Extract from a speech delivered before the Proprietary Association of

America.

By Frank J. Cheney.

"We have had a good deal of difficulty in the last few years with the different legislatures of the different states.... I believe I have a plan whereby we will have no difficulty whatever with these people. I have used it in my business for two years, and I know it is a practical thing.... I, inside of the last two years, have made contracts with between fifteen and sixteen thousand newspapers, and never had but one man refuse to sign the contract, and by saying to him that I could not sign a contract without this clause in it he readily signed it. My point is merely to shift the responsibility. We to-day have the responsibility of the whole matter upon our shoulders....

"There? has been constant fear that something would come up, so I had this clause in my contract added. This is what I have in every contract I make: 'It is hereby agreed that should your State, or the United States government, pass any law that would interfere with or restrict the sale of proprietary medicines, his contract shall become void.'... In the State of Illinois a few years ago they wanted to assess me three hundred dollars. I thought I had a better plan than this, so I wrote to about forty papers, and merely said: 'Please look at your contract with me and take note that if this law passes you and I must stop doing business, and my contracts cease.' The next week every one of them had an article.... I have carried this through and know it is a success. I know the papers will accept it. Here is a thing that costs us nothing. We are guaranteed against the \$75,000 loss for nothing. It throws the responsibility on the newspapers.... I have my contracts printed and I have this printed in red type, right square across the contract, so there can be absolutely no mistake, and the newspaper man can not say to me, 'I did not see it.' He did see it and knows what he is doing. It

seems to me it is a point worth every man's attention.... I think this is pretty near a sure thing."

To illustrate: There are 739 publications in your State—619 of these are dailies and weeklies. Out of this number we are advertising in over 500, at an annual expenditure of \$8,000 per year (estimated). We make a three-year contract with all of them, and, therefore, our liabilities in your State are \$24,000, providing, of course, all these contracts were made at the same date. Should these contracts all be made this fall and your State should pass a law this winter (three months later) prohibiting the sale of our goods, there would be virtually a loss to us of \$24,000. Therefore, for a business precaution to guard against just such conditions, we add the red paragraph referred to in Collier's.

I make this statement to you, as I am credited with being the originator of the paragraph, and I believe that I am justified in adding this paragraph to our contract, not for the purpose of controlling the Press, but, as before stated, as a business precaution which any man should take who expects to pay his bills.

Will you kindly give me your version of the situation? Awaiting an early reply, I am,

Sincerely yours,

FRANK J. CHENEY.

IMAGE ==>

IMAGE ==>

Valuable Newspaper Aid.

Dr. Pierce's son, Dr. V. Mott Pierce, was chairman of the Committee on Legislation. He was the author of the "matters and suggestions" which must be considered in the dark. "Never before," said he, "in the history of the Proprietary Association were there so many bills in different state legislatures that were vital to our interests. This was due, we think, to an effort on the part of different state boards of health, who have of late years held national meetings, to make an organized effort to establish what are known as 'pure food laws.'" Then the younger Pierce stated explicitly the agency responsible for the defeat of this public health legislation: "We must not forget to place the honor where due for our uniform success in defeating class legislation directed against our legitimate pursuits. The American Newspaper Publishers' Association has rendered us valued aid through their secretary's office in New York and we can hardly overestimate the power brought to bear at Washington by individual newspapers."... (On another occasion, Dr. Pierce, speaking of two bills in the Illinois Legislature, said: "Two things operated to bring these bills to the danger line. In the first place, the Chicago papers were almost wholly without influence in the Legislature.... Had it not been for the active co-operation of the state outside of Chicago there is absolute certainty that the bill would have passed.... I think that a great many members do not appreciate the power that we can bring to bear on legislation through the press.") But this power, in young Dr. Pierce's opinion, must be organized and systematized. "If it is not presumptuous on the part of your chairman," he said modestly, "to outline a policy which experience seems to dictate for the future, it would be briefly as follows"—here the younger Pierce explains the "matters and suggestions" which must not be "published broadcast over the country." The first was "the organization of a Legislative Bureau, with its offices in New York or Chicago. Second, a secretary, to be appointed by the chairman of the Committee on Legislation, who will receive a stated salary, sufficiently large to be in keeping with such person's ability, and to compensate him for the giving of all his time to this work."

"The benefits of such a working bureau to the Proprietary Association," said Dr. Pierce, "can be foreseen: First, a systematic plan to acquire early knowledge of pending or threatened legislation could be taken up. In the past we have relied too much on newspaper managers to acquaint us of such bills coming up.... Another plan would be to have the regulation formula bill, for instance, introduced by some friendly legislator, and have it referred to his own committee, where he could hold it until all danger of such another bill being introduced were over, and the Legislature had adjourned."

Little wonder Dr. Pierce wanted a secret session to cover up the frank naïveté of his son, which he did not "wish to have published broadcast over the country, for very good reasons."

IMAGE ==>

EXAMPLE OF WHAT MR. CHENEY CALLS "SHIFTING THE RESPONSIBILITY."

This letter was sent by the publishers of one of the leading newspapers of Wisconsin to Senator Noble of that state. It illustrates the method adopted by the patent-medicine makers to compel the newspapers in each state to do their lobbying for them. Senator Noble introduced a bill requiring patent-medicine manufacturers to state on their labels the percentage of various poisons which every bottle might contain. Senator Noble and a few others fought valiantly for their bill throughout the whole of the last session of the Wisconsin Legislature, but were defeated by the united action of the newspaper publishers, who, as this letter shows, exerted pressure of every kind, including threats, to compel members of the Legislature to vote against the bill.

In discussing this plan for a legislative bureau, another member told what in his estimation was needed. "The trouble," said he—I quote from the minutes—"the trouble we will have in attempting to buy legislation—supposing we should attempt it—is that we will never know what we are buying until we get through. We may have paid the wrong man, and the bill is passed and we are out. It is not a safe proposition, if we consider it legitimate, which we do not."

True, it is not legitimate, but the main point is, it's not safe; that's the thing to be considered.

The patent-medicine man continued to elaborate on the plans proposed by Dr. Pierce: "It would not be a safe proposition at all. What this association should have... is a regularly established bureau.... We should have all possible information on tap, and we should have a list of the members of the legislature of every state. We should have a list of the most influential men that control them, or that can influence them.... For instance, if in the state of Ohio a bill comes up that is adverse to us, turn to the books, find out who are members of the legislature there, who are the publishers of the papers in the state, where they are located, which are the Republican and which the Democratic papers.... It will take money, but if the money is rightly spent, it will be the best investment ever made."

The Trust's Club for Legislators.

That is about as comprehensive, as frankly impudent a scheme of controlling legislation as it is possible to imagine. The plan was put in the form of a resolution, and the resolution was passed. And so the Proprietary Association of America maintains a lawyer in Chicago, and a permanent secretary, office and staff. In every state it maintains an agent whose business it is to watch during the session of the Legislature each day's batch of new bills, and whenever a bill affecting patent medicines shows its head to telegraph the bill, verbatim, to headquarters. There some scores of printed copies of the bill are made, and a copy is sent to every member of the association—to the Peruna people, to Dr. Pierce at Buffalo, to Kilmer at Birmingham, to Cheney at Toledo, to the Pinkham people at Lynn, and to all the others. Thereon each manufacturer looks up the list of papers in the threatened state with which he has the contracts described above. And to each newspaper he sends a peremptory telegram calling the publisher's attention to the obligations of his contract, and commanding him to go to work to defeat the anti-patent-medicine bill. In practice, this organization works with smooth perfection and well-oiled accuracy to defeat the public health legislation which is introduced by boards of health in over a score of states every year. To illustrate, let me describe as typical the history of the public health bills which were introduced and defeated in Massachusetts last year. I have already mentioned them as showing how the newspapers, obeying that part of their contract which requires them to print nothing harmful to patent medicines, refused to print any account of the exposures which were made by several members of the Legislature during the debate of the bill. I wish here to describe their obedience to that other clause of the contract, in living up to which they printed scores of bitterly partisan editorials against the public health bill, and against its authors personally; threatened with political death those members of the Legislature who were disposed to vote in favor of it, and even, in the persons of editors and owners, went up to the State House and lobbied personally against the bill. And since I have already told of Mr. Cheney's author-ship of the scheme, I will here reproduce, as typical of all the others (all the other large patent-

medicine concerns sent similar letters and telegrams), the letter which Mr. Cheney himself on the 14th day of February sent to all the newspapers in Massachusetts with which he has lobbying contracts—practically every newspaper in the state:

"Toledo, Ohio, Feb. 14, 1905.

"Publishers

"——— Mass.

"Gentlemen:

"Should House bills Nos. 829, 30, 607, 724, or Senate bill No. 185 become laws, it will force us to discontinue advertising in your state. Your prompt attention regarding this bill we believe would be of mutual benefit.

"We would respectfully refer you to the contract which we have with you.

"Respectfully,

"Cheney Medicine Company."

Now here is the fruit which that letter bore: a strong editorial against the anti-patent-medicine bill, denouncing it and its author in the most vituperative language, a marked copy of which was sent to every member of the Massachusetts Legislature. But this was not all that this one zealous publisher did; he sent telegrams to a number of members, and a personal letter to the representative of his district calling on that member not only to vote, but to use his influence against the bill, on the pain of forfeiting the paper's favor.

Now this seems to me a shameful thing—that a Massachusetts newspaper, of apparent dignity and outward high standing, should jump to the cracking of the whip of a nostrum-maker in Ohio; that honest and well-meaning members of the Massachusetts Legislature, whom all the money of Rockefeller could not buy, who obey only the one thing which they look on as the expression of the public opinion of their constituents, the united voice of the press of their district—that these men should unknowingly cast their votes at the dictate of a nostrum-maker in Ohio, who, if he should deliver his command personally and directly, instead of through a newspaper supine enough to let him control it for a hundred dollars a year, would be scorned and flouted.

Any self-respecting newspaper must be humiliated by the attitude of the patent-medicine association. They don't ASK the newspapers to do it—they ORDER it done. Read again Mr. Cheney's account of his plan, note the half-contemptuous attitude toward the newspapers. And read again Mr. Cheney's curt letter to the Massachusetts papers; Observe the threat, just sufficiently veiled to make it more of a threat; and the formal order from a superior to a clerk: "We would respectfully refer you to the contract which we have with you."

And the threat is not an empty one. The newspaper which refuses to aid the patent-medicine people is marked. Some time ago Dr. V. Mott Pierce of Buffalo was chairman of what is called the "Committee on Legislation" of the Proprietary Association of America. He was giving his annual report to the association. "We are happy to say," said he, "that though over a dozen bills were before the different State Legislatures last winter and spring, yet we have succeeded in defeating all the bills which were prejudicial to proprietary interests without the use of money, and through the vigorous co-operation and aid of the publishers. January 23 your committee sent out letters to the principal publications in New York asking their aid against this measure. It is hardly necessary to state that the publishers of New York responded generously against these harmful measures. The only small exception was the *Evening Star* of Poughkeepsie, N. Y., the publisher of which, in a very discourteous letter, refused to assist us in any way."

Is it to be doubted that Dr. Pierce reported this exception to his fellow patent-medicine men, that they might make note of the offending paper, and bear it in mind when they made their contracts the following year? There are other cases which show what happens to the newspaper which offends the patent-medicine men. I am fortunate enough to be able to describe the following incident in the language of the man who wielded the club, as he told the story with much pride to his fellow patent-medicine men at their annual meeting:

"Mr. Chairman and Gentlemen of the Proprietary Association," said Mr. Cooper, "I desire to present to you a situation which I think it is incumbent on manufacturers generally to pay some attention to—namely, the publication of sensational drug news which appears from time to time in the leading papers of the country.... There are, no doubt, many of you in the room, at least a dozen, who are familiar with the sensational articles that

appeared in the *Cleveland Press*. Gentlemen, this is a question that appeals to you as a matter of business.... The *Cleveland Press* indulged in a tirade against the so-called 'drug trust.'... (the 'drug trust' is the same organization of patent-medicine men—including Pierce, Pinkham, Peruna, Kilmer and all the well-known ones—which I have referred to as the patent-medicine association. Its official name is the Proprietary Association of America.) "I sent out the following letter to fifteen manufacturers" (of patent medicines):

"Gentlemen—Inclosed we hand you a copy of matter which is appearing in the *Cleveland papers*. It is detrimental to the drug business to have this matter agitated in a sensational way.

In behalf of the trade we would ask you to use your influence with the papers in *Cleveland* to discontinue this unnecessary publicity, and if you feel you can do so, we would like to have you wire the business managers of the *Cleveland papers* to discontinue their sensational drug articles, as it is proving very injurious to your business. Respectfully, E. R. Cooper.'

"Because of that letter which we sent out, the *Cleveland Press* received inside of forty-eight hours telegrams from six manufacturers canceling thousands of dollars' worth of advertising and causing a consequent dearth of sensational matter along drug lines. It resulted in a loss to one paper alone of over eighteen thousand dollars in advertising. Gentlemen, when you touch a man's pocket, you touch him where he lives; that principle is true of the newspaper editor or the retail druggist, and goes through all business."

The Trust's Club for Newspapers.

That is the account of how the patent-medicine man used his club on the newspaper head, told in the patent-medicine man's own words, as he described it to his fellows. Is it pleasant reading for self-respecting newspaper men—the exultant air of those last sentences, and the worldly wisdom: "When you touch a man's pocket you touch him where he lives; that principle is true of the newspaper editor..."?

But the worst of this incident has not yet been told. There remains the account of how the offending newspaper, in the language of the bully, "ate dirt". The *Cleveland Press* is one of a syndicate of newspapers, all under Mr. McRae's ownership—but I will use Mr. Cooper's own words: "We not only reached the *Cleveland Press* by the movement taken up in that way, but went further, for the *Cleveland Press* is one of a syndicate of newspapers known as the Scripps-McRae League, from whom this explanation is self-explanatory:

"Office Schipps-McRae Press Association.

"Mr. E. R. Cooper, Cleveland, Ohio:

"Mr. McRae arrived in New York the latter part of last week after a three months' trip to Egypt. I took up the matter of the recent cut-rate articles which appeared in the *Cleveland Press* with him, and to-day received the following telegram from him from Cincinnati: 'Scripps-McRae papers will contain no more such as *Cleveland Press* published concerning the medicine trust—M. A. McRae.'

"I am sure that in the future nothing will appear in the *Cleveland Press* detrimental to your interests.

"Yours truly,

"F. J. Carlisle."

This incident was told, in the exact words above quoted, at the nineteenth annual meeting of the Proprietary Association of America.

I could, if space permitted, quote many other telegrams and letters from the Kilmer's Swamp Root makers, from the Piso's Cure people, from all the

large patent-medicine manufacturers. The same thing that happened in Massachusetts happened last year in New Hampshire, in Wisconsin, in Utah, in more than fifteen states. In Wisconsin the response by the newspapers to the command of the patent-medicine people was even more humiliating than in Massachusetts. Not only did individual newspapers work against the formula bill; there is a "Wisconsin Press Association," which includes the owners and editors of most of the newspapers of the state. That association held a meeting and passed resolutions, "that we are opposed to said bill... providing that hereafter all patent medicine sold in this state shall have the formula thereof printed on their labels," and "Resolved, That the association appoint a committee of five publishers to oppose the passage of the measure." And in this same state the larger dailies in the cities took it on themselves to drum up the smaller country papers and get them to write editorials opposed to the formula bill. Nor was even this the measure of their activity in response to the command of the patent medicine association. I am able to give the letter which is here reproduced [see page 86]. It was sent by the publisher of one of the largest daily papers in Wisconsin to the state senator who introduced the bill. In one western state, a board of health officer made a number of analyses of patent medicines, and tried to have the analyses made public, that the people of his state might be warned. "Only one newspaper in the state," he says in a personal letter, "was willing to print results of these analyses, and this paper refused them after two publications in which a list of about ten was published.

In New Hampshire—but space forbids. Happily there is a little silver in the situation. The legislature of North Dakota last year passed, and the governor signed a bill requiring that patent-medicine bottles shall have printed on their labels the percentage of alcohol or of morphin or various other poisons which the medicine contains. That was the first success in a fight which the public health authorities have waged in twenty states each year for twenty years. In North Dakota the patent-medicine people conducted the fight with their usual weapons, the ones described above. But the newspapers, be it said to their everlasting credit, refused to fall in line to the threats of the patent-medicine association. And I account for that fact in this way: North Dakota is wholly a "country" community.

It has no city of over 20,000, and but one over 5,000. The press of the state, therefore, consists of very small papers, weeklies, in which the

ownership and active management all lie with one man. The editorial conscience and the business manager's enterprise lie under one hat. With them the patent-medicine scheme was not so successful as with the more elaborately organized newspapers of older and more populous states.

Just now is the North Dakota editor's time of trial. The law went into effect July 1. The patent-medicine association, at their annual meeting in May, voted to withdraw all their advertising from all the papers in that state. This loss of revenue, they argued self-righteously, would be a warning to the newspapers of other states. Likewise it would be a lesson to the newspapers of North Dakota. At the next session of the legislature they will seek to have the label bill repealed, and they count on the newspapers, chastened by a lean year, to help them. For the independence they have shown in the past, and for the courage they will be called on to show in the future, therefore, let the newspapers of North Dakota know that they have the respect and admiration of all decent people.

"What is to be done about it?" is the question that follows exposure of organized rascality. In few cases is the remedy so plain as here. For the past, the newspapers, in spite of these plain contracts of silence, must be acquitted of any very grave complicity. The very existence of the machine that uses and directs them has been a carefully guarded secret. For the future, be it understood that any newspaper which carries a patent-medicine advertisement knows what it is doing. The obligations of the contract are now public property. And one thing more, when next a member of a state legislature arises and states, as I have so often heard: "Gentlemen, this label bill seems right to me, but I can not support it; the united press of my district is opposed to it"—when that happens, let every one understand the wires that have moved "the united press of my district."

The Following are Extracts and Abstracts from Various Articles in the Ladies Home Journal?

A PECULIAR "ETC."

A great show of frankness was recently made by a certain "patent medicine." The makers advertised that they had concluded to take the public into their confidence, and that thereafter they would print a formula of the medicine on each bottle manufactured.

"There is nothing secretive about our medicine," was the cry. "We have nothing to hide. Here is the formula. Show it to your physician."

Then comes the formula: This herb and that herb, this ingredient and that ingredient, and the formula winds up, "etc." All good, old-fashioned, well recognized drugs were those which were mentioned—all except the "etc."

A certain Board of Pharmacy had never heard of a drug called "etc.," and so made up Its mind to find out.

And the "etc." was found to be 3.76 per cent of cocain!—just the simple, death-dealing cocain!—From *The Ladies' Home Journal*, February, 1906.

PATENT MEDICINE CONCERNS AND LETTER BROKERS.

One of the most disgusting and disgraceful features of the patent medicine business is the marketing of letters sent by patients to patent medicine firms. Correspondence is solicited by these firms under the seal of sacred confidence. When the concern is unable to do further business with a patient it disposes of the patient's correspondence to a letter-broker, who, in turn, disposes of it to other patent medicine concerns at the rate of half a cent, for each letter.

This Information was made public by Mark Sullivan in the *Ladies' Home Journal* for January, 1906.

IMAGE ==>

An advertisement showing how the names to orders sent to "Patent Medicine" concerns are offered for sale or rent to be used by others.

Yet we are told how "Sacredly Confidential" these letters are regarded and held. (The advertisement is from the *Mail Order Journal*, April, 1905.)

Says Mr. Sullivan: "One of these brokers assured me he could give me 'choice lots' of 'medical female letters'... Let me now give you, from the printed lists of these 'letter brokers' some idea of the way in which these 'sacredly confidential' letters are hawked about the country. Here are a few samples, all that are really printable:

"55,000 Female Complaint Letters' Is the sum total of one Item, and the list gives the names of the "medicine company" or the "medical institute" to

whom they were addressed. Here is a barter, then, in 55,000 letters of a private nature, each one of which, the writer was told, and had a right to expect, would be regarded as sacredly confidential by the "doctor" or concern to whom she had been deluded into telling her private ailments. Yet here they are for half a cent each!

"Another batch of some 47,000 letters addressed to five 'doctors' and 'institutes' is emphasized because they were all written by women! A third batch is:

"'44,000 Bust Developer Letters'—letters which one man in a "patent medicine" concern told me were "the richest sort of reading you could get hold of."

"A still further lot offers: '40,000 Women's Regulator Letters'—letters which in their context any woman can naturally imagine would be of the most delicate nature. Still, the fact remains, here thy are for sale."

Is not this contemptible?

In the same article Mr. Sullivan exposes the inhuman greed of patent medicine concerns that turn into cold cash the letters of patients afflicted with the most vital diseases.

To quote Mr. Sullivan again: "All these are made the subject of public barter. Here are offered for sale, for example: 7,000 Paralysis Letters; 9,000 Narcotic Letters; 52,000 Consumption Letters; 3,000 Cancer Letters, and even 65,000 Deaf Letters. Of diseases of the most private nature one is offered here nearly one hundred thousand letters—letters the very classification of which makes a sensitive person shudder."

An Appeal To The American Woman.

"If the American woman would withhold her patronage from these secret nostrums the greater part of the industry would go to pieces. I do not ask any woman to take my word for this. Let me give her a personal statement direct from one of these manufacturers himself—a 'doctor' to whom thousands of women are writing to-day, and whose medicines they are buying by the hundreds of thousands of bottles each year. I quote his own statement, word for word:

"Men are "on" to the game; we don't care a damn about them. It is the women we are after. We have buncoed them now for a good many years, and so long as they remain as "easy" as they have been, and we can make them believe that they are sick, we're all right. Give us the women every time. We can make them feel more female troubles In a year than they would really have if they lived to be a hundred.' ".—From "Why 'Patent Medicines' are Dangerous," Edward Bok, Ladies' Home Journal, March, 1905.

"REPEATERS."

It is the "repeat" orders that make the profit. Referring to a certain patent medicine that had gone to the wall a nostrum agent said that It failed because "it wasn't a good repeater." When these men doubt whether a new medicine will be a success they say: "I'm afraid it wouldn't be a 'repeater.'"

"*Cure* rheumatism" said a veteran patent medicine man considering the exploitation of a new remedy; "good Heavens, man, you don't want a remedy that *cures* 'em. Where would you get your 'repeats'? You want to get up a medicine that's full of dope, so the more they take of it the more they'll want."—From "The Inside Story of a Sham," *Ladies' Home Journal*, January, 1906.

PATENT MEDICINES AND TESTIMONIALS.

In the January, 1906, issue of the *Ladies' Home Journal* Mark Sullivan contributes an article on the business of securing from well-known people testimonials indorsing and praising nostrums. Mr. Sullivan learned that three men, rivals in trade, make a business of securing these indorsements. They are known as "testimonlal-brokers."

A representative of a patent medicine who was anxious to exploit his preparation through the press approached one of these brokers and made arrangements for the delivery of one hundred signed testimonials from members of congress, governors and men high in the Army and Navy. The following is the memorandum of the agreement as drawn up by the broker:

"Confirming my talk with Mr. ———, I will undertake to obtain testimonials from senators at \$75 each, and from congressmen at \$40, on a prearranged contract.... A contract for not less than \$5,000 would meet my requirements In the testimonial line.... I can put your matter in good shape shortly after congress meets if we come to an agreement.... We can't get Roosevelt, but we can get men and women of national reputation, and we can get their statements in convincing form and language..."

It was for this reason that years ago Mrs. Pinkham, at Lynn, Mass., determined to step in and help her sex. Having had considerable experience in treating female ill's with her Vegetable Compound, she encouraged the women of America to write to her for advice in regard to their complaints, and being a woman, it was easy for help ailing sisters to pour into her ears every detail of their suffering.

No physician in the world has had such a training, or has such an amount of information at hand to assist in the treatment of all kinds of female ill's.

This, therefore, is the reason why Mrs. Pinkham, in her laboratory at Lynn, Mass., Is able to do more for the ailing women, of America than the family physician.' Any woman, therefore, is responsible for her own suffering who will not take the trouble to write to Mrs. Pinkham for advice.

IMAGE ==>

The way in which the testimonial is actually obtained is thus described by the broker:

"The knowing how to approach each individual is my stock-in-trade. Only a man of wide acquaintance of men and things could carry it out. Often I employ women. Women know how to get around public men. For example, I know that Senator A has a poverty-stricken cousin, who works as a seamstress. I go to her and offer her twenty-five dollars to get the senator's signature to a testimonial. But most of it I do through newspaper correspondents here in Washington. Take the senator from some southern state. That senator is very dependent on the Washington correspondent of the leading newspaper in his state. By the dispatches which that correspondent sends back the senator's career is made or marred. So I go to that correspondent. I offer him \$50 to get the senator's testimonial. The senator may squirm, but he'll sign all right. Then there are a number of easy-going congressmen who needn't be seen at all. I can sign their names to anything, and they'll stand for it. And there are always a lot of poverty-stricken, broken-down Army veterans hanging around Washington. For a few dollars they'll go to their old Army officers on a basis of old acquaintance sake and get testimonials."

It goes without saying that such testimonials are a fraud on the purchaser of the medicine thus exploited.

"Not one in a thousand of these letters ever reaches the eyes of the 'doctor' to whom they are addressed. There wouldn't be hours enough in the day to read them even if he had the desire. On the contrary, these letters from women of a private and delicate nature are opened and read by young men and girls; they go through not fewer than eight different hands before they reach a reply; each in turn reads them, and if there is anything 'spicy' you will see the heads of two or three girls get together and enjoy (!) the 'spice.' Very often these 'spicy bits' are taken home and shown to the friends and families of these girls and men! Time and again have I seen this done; time and again have I been handed over a letter by one of the young fellows with the remark: 'Read this, isn't that rich?' only to read of the recital of some trouble into which a young girl has fallen, or some mother's sacred story of her daughter's all!

"Then, to cap the climax of iniquity, with some of these houses these names and addresses are sold at two, three or five cents a name to firms in other lines of business for the purpose of sending circulars. As a fact, often

the trouble is not taken to copy off the names and addresses, but the letters themselves, with all their private contents, are sold!

"This is the true story of the 'sacredly confidential' way in which these private letters from women are treated!"—Statement of a man who spent two years in the employ of a large patent medicine concern, as told in "How the Private Confidences of Women Are Laughed At." Edward Bok, *Ladies' Home Journal*, November, 1904.

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