

Dr. F. R. Ward A Quack, Libel Answer Avers

The Tribune Pleads "Justification" in Its Answer to \$500,000 Suit Brought by "Medical Director"

Chicago Exploits Recalled

Newspaper Stands by Its Efforts to Expose Fake Doctors and Aid Public

Through its attorneys, Sackett, Chapman & Stevens, The Tribune served and filed yesterday in the Supreme Court its answer to the libel suit brought by Francis R. Ward, "Medical Director" of the "Electro Medical Scientists," of 230 West Seventy-second Street, Manhattan, and 6 Pierpont Street, Brooklyn. The action was brought on articles published in The Tribune in April, which, Ward says in his complaint, held him up to hatred, ridicule and contempt as a quack and fraudulent medical practitioner and thereby damaged him to the extent of \$500,000.

These articles, as set forth in the pleadings, included stories of the plaintiff's connection with "Old Doctor" Howe & Co., the Chicago exploiters of alleged cures for self-wrecked men and of restorers of lost vitality; his departure under the string of fictitious names from Chicago, which denounced the concern and detailed instances of fakery; his venture in Buffalo, as advertised "Leading Specialist in Men's Diseases," promising absolute "cures" within a few days of various ailments, and of his advertising and other quack practices in New York City, where, these articles stated, his practice was to lure patients by means of cunningly persuasive advertisements of the miraculous diagnostic and curative powers of his X-ray and other electrical apparatus and of the scientific wisdom of his staff of physicians which, the answer alleges, constituted quackery and a public menace.

Actual Visits Detailed
Several of the articles contained recitals of the experiences of some of The Tribune reporters who visited Ward's Manhattan and Brooklyn offices while The Tribune's investigation was in progress. One reporter, in sound physical health, explained, the article said, to a "scientist" at the Pierpont Street address that his trouble was that when he sat up late at night he got awfully "tired." After examination the doctor told him his blood pressure was 162 and that his heart beats were racing along at the rate of 110 a minute. His ailment was diagnosed as heart trouble, a serious state of affairs, and the prescription was electrical treatment, diet and the pursuit of a book called "Supreme Miracles."

Ward's men declared he was a victim of "infiltration of the lungs."

The Tribune in its pleading stands firmly on the ground that all it published of Ward was true and justified. Typical of The Tribune's allegations are these:
"A quack is one who ignorantly or falsely makes unwarranted, extravagant pretensions to the possession of medical knowledge or skill, or one who ignorantly or falsely makes unwarranted or false representations as to the curative or therapeutic powers or values of medical compounds or appliances which he makes or recommends for use, or of courses of treatment for disease administered or recommended by him. The investigation conducted by the defendant showed the facts to be that the plaintiff was a quack and had practiced quackery."
"The chief public danger of the plaintiff's representations and highly commercialized medical business was not so much the injurious effects of such treatment as patients received as in the effect which such representations and promises were calculated to have in lulling credulous persons into a false sense of security that they could safely rely upon the plaintiff's methods as a cure-all instead of seeking relief for their ailments through tried and known scientific methods of treatment provided by reputable and ethical physicians."
"The plaintiff spent large sums of money in advertising to get more patients. Promotion of his business depended largely upon newspaper advertising. He professed a more active interest in obtaining new patients than he did in the treatment of the old patients. The plaintiff, while being publicly and officially interrogated by the District Attorney of the County of New York as to the truth of his complaints about his business, admitted that he had been spending for advertising about \$8,000 per month and declared that he had formed the purpose, if allowed by the District Attorney to continue to do business, to spend during the next year the sum of \$40,000 per month."

Another, Marcellus Orlando Arnold, was the answer alleges, a trafficker in a so-called cure for the narcotic drug habit. His concern was sentenced by the Federal Court on its plea of guilty to the charge of misbranding its product in violation of the "pure food and drug act." The pleading sets forth that another of Ward's staff, La Verne A. Barber, had, for a considerable part of his career, been a vaudeville actor and that neither he nor Gilbert White, another of the "scientists," was authorized to practice medicine in the State of New York.

Another, George Everett Cantant, the pleading sets forth, found himself unable to make a living in ethical professional pursuits and entered the employ of the Force of Life Chemical Company, which went out of business when the public press in New York denounced it as a "grotesquely obvious swindle." Later he ran a quack cure for deafness for which, according to the pleading, he was indicted by the Federal Court, the indictment being dismissed on his promise never again to engage in mail order medical business.
The answer closes with detailed allegations about what it terms the fakery and uselessness of X-ray examinations made in Ward's Manhattan and Brooklyn establishments. The X-ray, it says, in the hands of reputable physicians experienced in its highly scientific use is valuable within limits recognized by ethical Röntgenologists.
"But," the pleading continues, "representations regarding the value, especially in diagnostic work, of X-ray examinations as given in Ward's offices were extravagant, misleading or deceptive. Neither such X-ray apparatus, or appliances, nor any others known to the ethical medical profession have or had such powers or virtues as were represented in the plaintiff's advertisements, and in said offices of the plaintiff such apparatus or appliances were, in fact, carelessly and unscientifically and inexpertly used."
"X-ray examinations, so called, were made of patients who were fully clothed and with personal belongings such as metallic objects in their pockets, which was a careless and unscientific practice and one condemned as unsafe and unreliable and not used by reputable ethical physicians."

of treatment which had come into the world because suffering humanity was calling for it and which had become the greatest modern remedial agent existing in the world. Of these physicians the answer alleges:
"In truth and in fact, neither the plaintiff nor any of his associates or employees who were physicians authorized to practice medicine in the State of New York, or were represented to be such, was or was recognized by the ethical medical profession to be such a scientist or skilled specialist. On the contrary, some of them were quacks. Others had been practitioners of peripatetic professional habits who had failed to achieve success in ethical professional pursuits. Some were not even authorized to practice medicine in the State of New York. X-ray examinations, so-called, were given by men who, in the presence of patients, were called doctors, but who, in fact, were not doctors and had not been trained and educated as medical men."
One of these physicians, Edward B. Herrick, was, according to the answer, the subject of no less than three "fraud orders" issued by the Postmaster General on evidence found to constitute proof that his concerns were schemes for obtaining money by false and fraudulent pretences in violation of Federal statutes. In April, the answer says, he was under indictment on charges of practicing medicine under an assumed name and of falsely impersonating Ward.

One Concern Convicted
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Nassau Sheriff Criticised by Prison Board

Mineola Jail Badly Managed, It Says; Unable to Learn Where Dr. Wilkins Got Rope to Hang Self

Special Correspondence

ALBANY, Aug. 26.—How Dr. Walter K. Wilkins obtained the rope with which he hanged himself in the Nassau County jail after being convicted of murder probably will always remain a mystery. The State Commission of Prisons announced today that a special investigating committee was unable to determine where the rope came from. The committee concluded that there was laxity in the management of the jail, lack of understanding of the rules and that due diligence was not exercised in the custody of Dr. Wilkins. The commission directed Sheriff Seaman to formulate new rules. It says the law was violated by the improper segregation of prisoners, the jail not being provided with adequate facilities. It says, also, that it has repeatedly called the attention of the Nassau County Board of Supervisors to this fact and expresses the belief that much of the trouble is due to that board.

The commission refrains from making any recommendation as to the removal of Sheriff Seaman, saying that question is before Governor Smith in the form of charges brought by the Nassau County Association. The hearing will be held Thursday.
A majority report of the investigating committee was made by Henry Solomon and Leon C. Weinstein, who find the Sheriff guilty of "mismanagement, negligence and carelessness."
George W. Davis, in the minority report, says the Sheriff was hampered by lack of facilities and that if he erred it was in showing too much kindness to prisoners.

Sailors Adrift 8 Days Are Rescued Far at Sea

BOSTON, Aug. 26.—After eight days at sea in an open boat, Captain B. D. Coleman and six men of the schooner George D. Edmunds were picked up yesterday by the steamer Pequot, according to a message received here. The Edmunds caught fire and was abandoned on August 17, when 300 miles southeast of Nantucket. She was found light from Bermuda for Hillsboro, N. B. Captain Coleman and his men apparently were provided with food and water, as the message contained no word of suffering or privation.
The Pequot is bound from Savannah for Rotterdam. The schooner registered 541 tons gross.

Commuter Killed by Train

Two hundred commuters saw Ernest Gedick, of 537 Ryerson Avenue, Woodbridge, N. J., killed under an Erie train at the Woodbridge station yesterday. Gedick was trying to board the train as it moved out of the station. He fell between two cars. Both legs were cut off and his skull was fractured.

Four Held on Suspicion In 'Johnny Spanish' Case

Nathan Kaplan, Herman Kelman, William Lustig and N. Gordon to Get Hearing

Magistrate Levine, in Essex Market Court, yesterday held four men without bail for examination to-morrow on short affidavits charging suspicion of homicide in connection with the killing of John Weiler, alias "Johnny Spanish," who was shot to death by gangsters on July 29 last.

The men are Nathan Kaplan, alias "Jack Dropper," who, according to Assistant District Attorney Joyce, was shot by "Johnny Spanish" seven years ago; Herman Kelman, known also as "Hymie Rosenberg"; William Lustig, who is sometimes called "the Kid," and Nathan Gordon, alias "Sammy."
Assistant District Attorney Joyce, who has been investigating the "Johnny Spanish" murder, said the case against these four men would go to the grand jury for indictments in a few days. All of the men, with the exception of Kaplan, already has been arrested in connection with the crime and held under bail as material witnesses. Kaplan was arrested last Monday night.

All four men, Mr. Joyce charges, figured in the plot that ended in the death of "Johnny Spanish." The head of the homicide bureau said the motive for the murder was a fight between Kaplan and "Johnny Spanish" to obtain control of gangsters who were hired by labor unions to keep "scabs" from breaking strikes.
"Johnny Spanish" and his men were particularly active in garment strikes, according to Mr. Joyce, who says that the gang leader frequently got \$100 a man for merely putting the gangsters to work.

Albany Child Lost

The Police Department yesterday received word from Chief of Police James L. Hyatt, of Albany, asking that search be made, especially in all gypsy trains passing through the city, for Elvix Stockburger, a twelve-year-old girl, who disappeared from her home, 12 Chestnut Street, Albany, on August 14. A reward of \$500 is offered for her recovery and \$1,000 for information leading to the arrest of her abductors.
A gypsy caravan passed through Albany on the day of her disappearance. She is small for her age, has black eyes, dark hair and a slight scar above the left eye. She wore a green gingham dress, black patent leather belt, white stockings, brown shoes and a blue coat.

Notable Welcome Given De Valera In Richmond, Va.

3,000 at City Auditorium to Hear Ireland's Cause; Starts U. S. Tour Sept. 14 With Meeting in Brooklyn

Special Correspondence

RICHMOND, Va., Aug. 26.—Eamon de Valera was introduced to-night to 3,000 people in the city auditorium as "a distinguished visitor to Virginia who will speak to you people on a subject dear to his heart." The introduction was made by Governor Westmoreland Davis.
De Valera told of the 750 years of unhappy life of Irish people under British yoke, and deplored the depopulation of the island from eight to four millions of people, due, he said, to the British policy in relation to his country.

"The people of Ireland are Irish and not British," was one of the striking statements of De Valera, "and yet it is Britain's plan to make of Ireland a great farm for herself and the British Isles."
He charged that, under the rule of England for the past centuries, not one of the coastal harbors had been improved.

Gets Big Reception

De Valera arrived in the city this morning and was met by a reception committee composed of friends of Irish freedom. He was escorted to the Jefferson Hotel, where a luncheon was served. There he was introduced by State Senator Robert F. Leamy, Mayor George Atiles greeted him as the guest of the friends of Irish freedom and not as "president of the Irish republic."

Harry J. Boland, of "The Daily Eireann" and in charge of the Irish Republic headquarters in the Mursey Building, commenting last evening on the reception to "President" de Valera in Virginia, said: "The outpouring of

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the people of Virginia to listen to the cause of Ireland is significant.
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It was announced yesterday that "President" de Valera will begin his tour of the United States on September 14 with a mass meeting in Brooklyn. Mr. Boland will superintend the sale of Irish Republic bonds in the United States. He expects to announce in a few days the details of the issue.

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