

# Patten vs the AMA

*Editor's Note: The following editorial was published in WMJ, Volume 14, No. 12, p. 514-515, May 1916*

At the present writing there is being tried in Chicago one of the most important cases which has been before the Courts for many years. The Pattens, owners of the Chattanooga Medicine Company which manufactures Wine of Cardui, and other Patent Medicines, are suing [sic] the AMA (American Medical Association) for \$300,000 damages for alleged libelous statements in regard to Wine of Cardui published in the Propaganda for Reform Department of the Journal AMA. The suit, so it appears to us, is after all the fight of men making their money by duping ill women, against the forces which stand for decency, honesty, and preservation of the lives of women.

We understand that both sides have been preparing for months for this fight. The Pattens, as representatives of the whole order of those who gain their millions by advertising and selling Patent Medicines, are really representing all the Patent Medicine interests. Should this suit go against them, it might well sound the death knell of the whole nefarious Patent Medicine business.

The testimony is voluminous already and the suit is only begun. We have marked one circumstance as the trial has gone on, that is, that not all newspapers contain notices of the progress of the trial. Further, that only those newspapers which have cleaned their pages of objectionable quack-medicine advertisements publish any of the doings at the trial.

It makes us wonder how long we are going to stand the entrance into our homes of the newspaper which carries on every page prominent advertisements of patent medicines and quacks, some of which are disgusting and almost all are false and misleading. From what we see of some first-class newspapers, we are led to believe that they can be and are successful business enterprises in spite of the fact that they refuse the advertisements of quacks and patent medicines. It does not seem necessary for a newspaper's existence that it lend itself as a party to deceive the sick. It does not need the money of those who prey upon the ills of humanity.

This particular trial is important for the public, not for us as physicians and surgeons. Cases of illness which have used Patent Medicines eventually seek our advice in the end, provided they do not die while

taking the medicine. The charge thrown at the Medical Profession by the adherents of cults and isms, that our activities against them are due to curtailment of business, is too absurd to notice. We lose nothing, but it makes one boil inside to see patients reach the last stages of some chronic disease after having been for months either taking some Patent Medicine or taking treatment (?) from some quack.

We hope with all the hope that is in us, that Patten loses his suit. We hope the Federal Government will indict him for misbranding his Wine of Cardui, which on his own admission is not wine.

Should the Patent Medicine interests lose, it will mean that thousands of lives will be saved much suffering and thousands of lives will be prolonged.

• • •

## **That 1-cent verdict**

That 1-cent verdict returned by the jury in the Wine of Cardui case against the American Medical Association teases us to thought...

Both sides claim it as a victory. The defendant feels that, in view of the large amount demanded, a verdict of 1 cent is equivalent to a verdict in its favor. The plaintiff, on the other hand, concerned not only with the damages sued for, but presumably with the good name and reputation of the preparation, thinks that even a 1-cent verdict is a vindication.

As the jury has so far shed no particular light on the psychology responsible for the decision, we must assume that it thought the American Medical Association was wrong but not wrong enough to hurt and that the plaintiff was right but not right enough to help very much.

Incidentally, and irrespective of the merits of this particular case, it is permissible to suggest that the American Medical Association will hardly find its prestige diminished among good citizens by its opposition to the sale of propriety medicine containing a marked percentage of alcohol.

—Chicago Herald (*Reprinted in WMJ, Volume 15, No. 3, p. 83, August 1916.*)

advancing the art & science of medicine in the midwest

**WMJ**

The mission of *WMJ* is to provide a vehicle for professional communication and continuing education for Midwest physicians and other health professionals.

*WMJ* (ISSN 1098-1861) is published by the Wisconsin Medical Society and is devoted to the interests of the medical profession and health care in the Midwest. The managing editor is responsible for overseeing the production, business operation and contents of the *WMJ*. The editorial board, chaired by the medical editor, solicits and peer reviews all scientific articles; it does not screen public health, socioeconomic, or organizational articles. Although letters to the editor are reviewed by the medical editor, all signed expressions of opinion belong to the author(s) for which neither *WMJ* nor the Wisconsin Medical Society take responsibility. *WMJ* is indexed in Index Medicus, Hospital Literature Index, and Cambridge Scientific Abstracts.

For reprints of this article, contact the *WMJ* at 866.442.3800 or e-mail [wmj@wismed.org](mailto:wmj@wismed.org).

© 2016 Wisconsin Medical Society