Immigration of Herbert Friedmann and his tuberculosis diagnosis, 1936-1937
File from National Archives -- B

File concerning Herbert Friedmann*, from Central Files of the Public Health Service records in the Judicial, Fiscal, and Social Branch, and dating from 4 December 1936 to 16 August 1937. (For details, see letter inside this cover, dated 3 December 1987, from National Archives addressed to Senator Frank R. Lautenberg.)

*Name changed to Herbert Freeman in 1947
Honorable Frank R. Lautenberg
United States Senate
Washington, DC 20510

Dear Senator Lautenberg:

Your letter of August 5, 1987, addressed to the Office of Legislative and Intergovernmental Affairs of the Department of State was referred to us by that office.

We have located information about attempts to obtain a visa for your constituent, Herbert Freeman (then known as Herbert Friedmann), as well as two letters signed by Albert Einstein.

The Central File of the Public Health Service records in our Judicial, Fiscal, and Social Branch contains a 60-page file concerning Herbert Friedmann. The material in the file dates from December 4, 1936, to August 16, 1937, and contains the letter of June 25, 1937, from Albert Einstein to the Public Health Service to which the June 30 letter was a response. Electrostatic copies of this file can be provided for $23.80. The letter signed by Einstein is, of course, part of the file, but we can provide an authenticated (certified) copy of the letter only for $5.00. To order, Mr. Freeman should send a check or money order payable to National Archives Trust Fund-NNPF to the National Archives Trust Fund Board, P.O. Box 100793, Atlanta, GA 30334. An envelope is enclosed for his convenience.

There also is a visa "name" file among the records of the Visa Division of the Department of State in our General Branch. This 90-page file contains correspondence dating from 1936 to a letter of March 6, 1936, from Leo Friedmann to the Chief of the Visa Division thanking him for his assistance in getting his son to the United States. Although the file is under the name of Heinrich Friedmann, Herbert's brother, the material concerns Herbert Friedmann. The two-page signed letter of July 26, 1937, from Albert Einstein to George Messersmith, Assistant Secretary of State, and Messersmith's reply of August 20, 1937, are in the file. Copies of these letters were enclosed with Mr. Freeman's letter. Electrostatic copies of this file can be furnished for $31.50. An authenticated copy of the Einstein letter only can be provided for $5.00. Remittance should be made by check or money order payable to National Archives Trust Fund-NNPF, and sent to
the same address as shown above. It would be helpful if your constituent would include a copy of this letter with his remittance. A copy of this letter is enclosed for his convenience.

Sincerely,

Trudy Huskamp Peterson
Assistant Archivist for the National Archives
(202) 523-3130

Enclosures
Dec. 4, 1936

Dr. Thomas Parran
Surgeon General
United States Public Health Service
Washington, D.C.

Dear Dr. Parran:-

I am taking the liberty to write you on a matter which I think is worthy of further consideration because of the fact that it apparently involves the medical opinion and judgment of a medical officer of the United States Public Health Service who is attached to the American Consular Service in Stuttgart, Germany. This reference is found in the letter attached under date of August 27, 1936.

Dr. Leo Friedman, who is now living in New York City and who is the father of the child in question, was referred to me to see if something could be done to secure a visa for his ten-year-old son, Herbert, who has been refused such visa by our Consulate in Stuttgart. In brief the story I have obtained from Dr. Friedman is as follows:

He came to this country in December 1935 due, I suppose, to the rigid regulations in Germany at this time. Shortly afterward his wife and one child were granted visas by the Consulate Service in Stuttgart but the one child, Herbert, ten years of age, was denied a visa on the basis that he had a chronic pulmonary tuberculosis.

Attached hereto are two X-ray films, the one #91674 dated 24-6-36 which was made at the Roentgen Institute in Stuttgart, and a report of their interpretation of the same date is attached. You will also note that in the communication dated August 27th that it is clearly stated that a certificate of tuberculosis was issued only after an X-ray negative had been made, and it is my understanding that this identical film was the one that was seen by the Consulate Service. A second X-ray dated 15-7-36 was made at another laboratory and from all appearances is of the identical chest. I am informed by Dr. Friedman that following the first refusal of the visa a Von Pirquet Test was done and was found to be negative. In the attached correspondence, the latest dated November 6th, 1936, the American Consul General at Stuttgart re-confirms their opinion of a chronic pulmonary tuberculosis. I have gone over these films carefully and while there is obviously some increase in hilar shadows, particularly on the right, I am unable to see any evidence of a pulmonary lesion either in the original or subsequent X-rays, nor would I agree with the roentgenologist's reading that there were partially healed glands on the right, particularly in view of the fact that the child is reported to be negative to the Von Pirquet Test.
Dr. Thomas Farran-

I would like to submit this material to you for consideration so that you may possibly secure an independent opinion there in Washington relative to the attached reports and interpretation of the films, and if as a result you can concur with my opinion, that you will use your good offices to see that this child is granted a visa. This is one of those rather perplexing problems with three members of the family in this country and the one child being forced to remain in Germany.

When you have finished reviewing the material I think Dr. Friedman would like to keep the correspondence and films for his own file, and I would, therefore, request that they be returned.

Trusting that you may find it possible to assist this physician in securing a visa for his child in the very near future,

Very truly yours,

Herbert R. Edwards, M.D.
Director, Bureau of Tuberculosis

HRE:MS
December 7, 1936

Medical Officer in Charge,
U. S. Public Health Service Relief Station,
Twelfth Street and Pennsylvania Avenue,
Washington, D. C.

Sir:

There is attached a file concerning the son of Dr. Lee Friedman, refused a consular visa in Stuttgart, Germany, on account of chronic tuberculosis.

Part of this file includes two X-ray plates, one of them stated to have been taken in Stuttgart and to have been the one on which the diagnosis of tuberculosis was based.

It would be appreciated if you would have the X-ray specialist attached to your station review these X-ray plates and give this office his opinion as to what pathological conditions they may reveal.

By direction of the Surgeon General:

Respectfully,

(Sgd) C. L. Williams

C. L. Williams
Assistant Surgeon General,
Foreign Quarantine Division.

CIN: NLN
Incl.
The Surgeon General,
U. S. Public Health Service,
Washington, D. C.

Sir:

I have the honor to acknowledge receipt of Bureau letter of December 7, 1936, transmitting file and x-ray plates in the case of Herbert Friedmann, son of Doctor Leo Friedmann, refused a consular visa in Stuttgart, Germany, on account of chronic tuberculosis.

These films have been read by Doctor C. C. Caylor, consultant in roentgenology at this station. His interpretation of films is as follows: "The two films of the chest of the above patient are essentially similar. There is some enlargement of the hilus glandular shadows on each side, particularly the right, where there are several small calcifications, indicative of a healed lesion. There is a generalized bronchial marking in both lungs, but the lungs are free from infiltration or mottling, nor is there any pleural involvement. These films do not suggest the presence of a tuberculous process."

The entire file with films are returned.

Respectfully,

R. P. Sandidge,
Surgeon, in Charge.

RPS:cam
FROM: Dr. C. L. Williams.

TO: Dr. Parran.

The X-ray plates in this file have been submitted to the Service consultant for the Washington clinic and have been reviewed informally by officers of the Marine Hospital Division, the consensus of opinion being that they do not suggest tuberculosis in the individual of whom they were taken.

The case, therefore, to a large degree hinges on the absolute identification of the plates as being those of the chest of the immigrant under consideration.

I would recommend that the entire file be submitted to Dr. Pierce for further action, including the substance of this memorandum. Dr. Friedmann, however, has requested that the file be returned to him after review. The attached letter is requesting that it be released for forwarding to Dr. Pierce.

C. L. Williams
Assistant Surgeon General,
Foreign Quarantine Division.

Incls.
December 12, 1936

Dr. Herbert R. Edwards,
Director, Bureau of Tuberculosis,
Department of Health,
125 Worth Street,
New York, N. Y.

Dear Doctor Edwards:

I have your letter of December 6th concerning the son of Dr. Leo Friedman and am naturally much concerned. We realize, of course, that in some instances the diagnosis of tuberculosis is a matter of medical opinion and that this may materially vary between different physicians.

This case certainly seems to warrant further inquiry and I should like to refer it to Medical Director C. C. Pierce, who is in charge of all of the Service activities in Europe. For Dr. Pierce to handle it intelligently, however, it would be necessary for me to refer to him the entire file, including the X-ray plates, but I hesitate to do this without your permission, since you requested that the correspondence be returned to you.

Will you kindly notify me as soon as convenient whether I may forward this file to Dr. Pierce, whom I will request to give it immediate consideration.

Very truly yours,

(Sgd) Thomas Parrish
Surgeon General.

CLW:HN

C.L.W.
Dec. 12, 1936

Dr. C. L. Williams.

Dr. Farran:

The X-ray plates in this file have been submitted to the Service consultant for the Washington clinic and have been reviewed informally by officers of the Marine Hospital Division, the consensus of opinion being that they do not suggest tuberculosis in the individual of whom they were taken.

The case, therefore, to a large degree hinges on the absolute identification of the plates as being those of the chest of the immigrant under consideration.

I would recommend that the entire file be submitted to Dr. Pierce for further action, including the substance of this memorandum. Dr. Friedmann, however, has requested that the file be returned to him after review. The attached letter is requesting that it be released for forwarding to Dr. Pierce.

(Sgd) C. L. Williams

D. L. Williams
Assistant Surgeon General,
Foreign Quarantine Division.
December 15, 1936

Dr. Thomas Parran  
Surgeon General  
U.S. Public Health Service  
Washington, D.C.

Dear Dr. Parran:

I appreciate very much your letter of December 12th relative to the son of Dr. Leo Friedmann.

By all means use your discretion in placing the X-rays and material in the hands of Dr. Pierce for whatever action may be necessary.

Assuring you of my appreciation of your kind cooperation,

Very truly yours,

Herbert R. Edwards, M.D.  
Director, Bureau of Tuberculosis

HRE*JC
December 19, 1936.

Medical Director C. C. Pierce,
U. S. Public Health Service,
American Government Office Bldg.,
2 Avenue Gabriel,
Paris, France.

Sir:

There is transmitted herewith the complete file, including X-Ray plates, concerning the case of Herbert Friedmann, who it is stated was refused a consular visa at Stuttgart, Germany, on account of chronic tuberculosis.

It is requested that you review this case and either report action taken by you or submit your recommendation in the premises.

You are requested to return the complete file to the Bureau after it has served your purpose.

By direction of the Surgeon General.

Respectfully,

(Sgd) C. L. Williams

C. L. Williams
Assistant Surgeon General
Foreign Quarantine Division

Inclosures

(via Special Mail Trunk)
MEDICAL REPORT

The child Herbert Friedmann was taken to the Pediatrics Clinic of the University Frankfort/Am. for stationing because of the question of an eventually existing tuberculosis. All the skin tests of tuberculin were negative, so that the evidence of a tuberculous infection could be excluded positively. Neither did the X-ray examination show the slightest evidence of a tuberculous process.

(signed) de Rudder

Director of the Pediatrics Clinic of the University

CITY OF NEW YORK )
STATE OF NEW YORK  ) SS:
COUNTY OF NEW YORK )

Hermine Jenschel, being duly sworn, deposes and says:

That she is a translator, employed by the New York Section, National Council of Jewish Women, 221 West 57 Street, New York City, N. Y.

That she has personally translated the above and herewith certifies that it represents a true translation of the original document.

Sworn to before me this 22nd day of Decbr. 1936

Hermine Jenschel

New York Section National Council
Arztliche Bescheinigung.

Das Kind Herbert Friedmann war wegen der Frage einer eventuell bestehenden Tuberkulose stationär in der Universitäts-Kinderklinik Frankfurt/Main aufgenommen. Alle intracutanen Tuberkulinproben waren negativ, so daß das Vorliegen einer Tuberkuloseinfektion mit Sicherheit ausgeschlossen werden konnte. Auch die Röntgenuntersuchung der Lungen ergab nicht den geringsten Anhalt für einen tuberkulösen Prozeß.

Direktor der Univ. Kinderklinik

[Signature]
December 24 1936

Dr. Thomas Parran  
Surgeon General  
U.S. Public Health Service  
Washington D.C.

Dear Dr. Parran:

Since writing you recently,  
I have received the attached additional information relative to the case of Herbert Friedmann, which is a report from the Children's Clinic at the University in Frankfort which seems to add further evidence to the material previously presented.

In view of the material that I have submitted on this case I am wondering if you would deem it of sufficient importance, providing Dr. Pierce confirms our opinion, to cable instructions for the release of this child. I am sure you can appreciate the anxiety of the family in endeavoring to make every effort possible to have the child with them in this country, and I assure you that I will appreciate any action you may take that will expedite the matter.

With kindest personal regards and with best wishes for a Happy Holiday Season,

Sincerely yours,

Herbert H. Edwards, M.D.
Director, Bureau of Tuberculosis

HRE*JC
December 30, 1936

Dr. Herbert E. Edwards,
Director, Bureau of Tuberculosis,
Department of Health,
125 Worth Street,
New York, N. Y.

Dear Doctor Edwards:

I have your letter of December 24, 1936, enclosing a report from the Children's Clinic at the University in Frankfurt relative to the case of Herbert Friedman.

I have transmitted this information to Medical Director C. G. Pierce, who is in charge of all activities of the Public Health Service in Europe, for consideration in connection with the other papers which have been forwarded to him, and have requested that he expedite disposition of the case. I am sure that Dr. Pierce will give the matter his immediate attention and feel confident that he will render an unbiased opinion.

I fully appreciate the great anxiety of the child's parents and their desire to do everything possible to have him join them, and hope that the condition found to exist at the present time will permit a reunion of the family in this country at an early date.

With best wishes,

Very sincerely yours,

(Sgd) Thomas Parran

Surgeon General.

C.L.H.

C.H.W.
December 30, 1936

Medical Director C. C. Pierce,
U. S. Public Health Service,
American Government Office Building,
Paris, France.

Dear Doctor Pierce:

The enclosed copies of correspondence in the case of Herbert Friedmann are self-explanatory. It is requested that consideration of this case be expedited as much as possible.

By direction of the Surgeon General:

Respectfully,

(Sgd) C. L. Williams
Assistant Surgeon General,
Foreign Quarantine Division.

GLN:

HL

Incls. (Letter of 12-24-36 from Dr. Herbert R. Edwards, N.Y.C.
Dept. of Health, inclosing report from Children's Clinic,
Frankfort; copy of Bureau reply to Dr. Edwards of 12-30-36)
MEDICAL NOTIFICATION

CLASS "A"

Herbert FRIEDMANN

Sex: M Age: 10

Occupation: schoolboy Race: Hebrew

Passport: German

Quota: 1

A medical examination of the above-mentioned person made on June 24, 1926 reveals the presence of

Tuberculosis, pulmonary.
right and left lung.
Left lung appears to be healing.

Which may affect ability to earn a living

F.W. Meriwether, Surgeon
Examining Medical Officer

TRIPlicate

This paper should be detached and returned to the medical officer with indication of action taken.
MEDICAL NOTIFICATION

Class A

Herbert FRIEDMANN
(Name)

Sex: M.  Age: 10

Occupation: schoolboy  Race: Hebrew

Passport: German

Quota: Norwegian Scandinavian

A medical examination of the above-mentioned person made on—

Nov. 30th, 1925
reveals the presence of:

Tuberculosis, pulmonary, chronic.

Which may affect ability to earn a living

E. C. RING, M. B. Surgeon
Examining Medical Officer.

TRIPlicate

This paper should be detached and returned to the medical officer with indication of action taken.

[Over]
In reply refer to 811.111 Friedmann, Herbert.

My dear Miss Razovsky:

I refer to your letter of November 2, 1936, regarding the case of Herbert Friedmann, the child of Dr. and Mrs. Leo Friedmann, who has been refused an immigration visa at the Consulate at Stuttgart, Germany.

While the Department is always glad to obtain a report from the Consul in a case in which the facts are not known, I do not believe it would serve any useful purpose to ask for a report in the present case since it is clear from the Consul General's letter of August 27, 1936, to Dr. Leo Friedman, that the Consul General discussed the case of Herbert Friedman with the medical officer of the United States Public Health Service who examined him and that the medical officer, after consulting his records, stated that a reexamination of the boy would not be warranted before the lapse of one year from the date of his last examination. I am sure that the Consul General will be glad to arrange for another examination after the expiration of the year, that is, in June 1937. Dr. Friedman may wish to communicate with the Consul General some time before that date in order that suitable arrangements may be made for the boy's examination at that time.

Very truly yours,

John Farr Simmons,
Chief, Visa Division.

Miss Cecilia Razovsky,
Executive Director,
National Coordinating Committee
For Aid to Refugees and Emigrants
Coming from Germany,
221 West Fifty-seventh Street,
New York, New York.
Stuttgart, Nov. 5, 1936.
Königstr. 60, tel. 23322.

Dr. Finckh & Dr. Kützle,
Specialists for roentgenology.

95152.

American Consulate Stuttgart
Dr. Finckh.

X-ray finding with Herbert Friedmann.

The control picture of the lungs does not show in the left apex any distinctly outlined shadows any more. The apex is well transparent. The lung structure is not denser from the apices to the hilus on the right, and only a little on the left. In the hilus on both sides only slight, scarcely enlarged glandular shadows to be seen. In both hilus, small calcifications are now visible.

The examination shows that the dense focus in the left apex has disappeared. The hilus glands are partly calcified, probably mostly scarred.

(signed) Dr. Kützle.

I certify this to be a true translation.

Translation.

Stuttgart, June 6, 1936.
Königstr. 80, tel. 23622.

Dr. Finckh, Dr. Kötze,
Dr. Rommel,
Röntgenologists.

American Consulate Stuttgart.

X-ray finding with Herbert Friedmann.

The x-ray picture of the lungs shows in the left apex a cloudy shadow of the size of approximately a small date seed. The lung structure is somewhat denser and cloudy on the left and right from the apex to the hilus. In the hilus on both sides only moderately enlarged glands with calcifications, in addition less dense, evidently fresh glandular shadows to be seen.

The examination shows a dense focus in the left apex which is evidently receding now, but does not seem to be completely scarred.

(signed) Dr. Kötze.

I certify this to be a true translation

Emma John, Inspectress.

Stuttgart, Jan. 6, 1937.
TREASURY DEPARTMENT
UNITED STATES
PUBLIC HEALTH SERVICE
Stuttgart, Jan. 6, 1937.

Medical Director C.C. Pierce
In Supervisory Charge of European Activities,
Paris, France.

Sir:

I received your letter today regarding the case of Herbert Friedmann examined June 24, 1936 and November 5, 1936 and found to have tuberculosis pulmonar chronic. I have reviewed all available data on the case and am submitting statement as requested before forwarding our x-ray pictures.

The case was examined June 24, 1936 by myself and following facts noted.

A boy, 10 years of age, pale, slender lad with a dull, listless appearance. On questioning he gave a history of chest cold for past week.

Physical examination right side bronchial breathing and coarse rales.
Left side a rub upper part chest and fine rales. Temperature: 37.8.

Symptoms on physical examination were regarded as suggestive and boy was sent out for x-ray of chest. A translation of x-ray findings is attached #1. A definite diagnosis was made by the roentgenologist which checked with the physical findings. The consul was informed of the findings and visa was refused. That his son's health was affected was known to the father as his letter to the consul date July 6, 1936 stated as follows: "As my son is temporarily in poor health it grieves me greatly that he is not by my side so that I could provide him with medical care personally." In October 1936 another letter from the boy's father Dr. Leo Friedmann was received and referred to me for an opinion. I reported that we would reexamine him but I believed that similar findings would result as there had not been sufficient time for complete healing. He was recalled October 15, 1936 but for some reason did not appear until November 5, 1936. Letter on consul files states personal reason cause of delay. The examination was made by Dr. Rins. The following notes were made of the case: "Patient's cooperation in breathing could not be obtained but chest appears negative to physical examination. Temperature: 37.6 at 9:50 A.M." A statement that "In view of past examination in June, physical examination and x-ray findings it is believed that sufficient time has not elapsed to say that lung is free from tuberculosis." A notification was issued "Tuberculosis pulmonar chronic." A translation of the roentgenologist's report is attached #2. This report indicate decided improvement but x-ray only partly healed or scarred. In my
original notification June 24, 1936 I stated that on the left side
the process appeared to be healing and the later examination November
5, 1936 seems to confirm this observation, but as stated in report of
roentgenologist and Dr. Rinck that while there is improvement the
process was not healed.

This I understood, was taken in consideration by the father who
was a physician, and the boy was to be placed in a hospital to obtain a
cure. The father left the family in Germany December 2, 1935 and
proceeded to the States. On his record in consulate appears this
record: "Attention of applicant was drawn to the fact that his son
was previously refused a visa." This was the other son Heinrich and
due to his condition (Perthes disease) the family was refused visa.
The application of the family was accordingly withdrawn. The younger
son's physical condition is not given because of withdrawal. It may
refresh your memory of these cases to say that you examined them the
day I came to Stuttgart and I believe Dr. Gorman also saw them but
as not certain and the records do not show.

I agree with you that the case hinges on the difference of pro-
essional opinion in the interpretation of the films. If the diag-
osis of tuberculosis is to depend on x-ray reading without considering
the physical finding such differences are certainly to occur. I have
had to read a large number of plates in chest work but always felt
that the x-ray is only an aid to diagnosis and not the sole depend-
ence for the diagnosis. With different technic such marked differen-
ces in pictures can be obtained that differences of opinion are likely to
occur. In this case I am certain that this boy has hilar tuberculo-
sis when he was examined and from a talk with the woman with him whom I
understood was his mother, I believe the family knows this to be a
fact. I have had several letters referred to me by the consul descri-
ing the suffering of the mother and father. The separation of chil-
dren from parents appeals strongly to my sympathy, probably because I
have children, and for this reason I reexamined this case when I felt
that it was too early and more recently again suggested that the
parents wait for at least 12 months. This was reported to the State
Department by the Consul General and the father was informed of these
facts by Dr. John Farr Simos of the State Department who suggested
that arrangement should be made to have the case reexamined June
1937. (Copy of letter attached).

This case has been examined by 3 and probably 4 American phys-
icians (Drs. Pierce, Meriwether, Rinck and probably Gorman). I am
certain that their sympathy is with the father in his difficulties
but believe sincerely that the boy has tuberculosis. Both Dr. Rinck
and I are of the opinion that his condition is improving and a cure
in a reasonable time can be expected.

Respectfully

F. V. Meriwether,
Surgeon.
American Government Office Building, 8 avenue Gabriel,

Surgeon F. V. Meriwether,
U. S. Public Health Service,
care American Consulate General,
Stuttgart - Germany.

Sir:

I have received from Washington the complete file, including two X-ray films; concerning the case of Herbert Friedmann, 10 years old, with the request that I review this case and submit a recommendation.

The case was previously reviewed as follows:

The two X-ray films have been looked over by Dr. A. J. Quimby, Director of Roentgenology of the New York Polyclinic, Medical School and Hospital, who reports as follows:

"After re-examining the films marked Herbert Friedmann, dated 24/8/36 No. 015974, and Herbert Friedmann, dated 18/7/36 I again wish to say in my opinion that there is no evidence on these films of an active or latent T.B. of recent origin in the lungs or any other thoracic structure. The calcium deposits in the peribronchial tissue originated from an infection in early childhood and is of the type seen in all lungs at this age period."

They have also been examined by Dr. R. H. Edwards, Director of the New York Department of Health, Bureau of Tuberculosis, who reports as follows:

"I have gone over these films carefully and while there is obviously none increase in hilar shadows, particularly on the right, I am unable to see any evidence of a pulmonary lesion either in the original or subsequent X-rays, nor would I agree with the roentgenologist's reading that there were partially healed glands on the right, particularly in view of the fact that the child is reported to be negative to the Von Pirquet Test."

The films have also been read by Dr. C. C. Caylor, consultant in roentgenology at the Service Relief Station in Washington, D.C. whose
interpretation of the films is as follows:

"The two films of the chest of the above patient are essentially similar. There is some enlargement of the hilus glandular shadows on each side, particularly the right, where there are several small calcifications, indicative of a healed lesion. There is a generalized bronchial marking in both lungs, but the lungs are free from infiltration or mottling, nor is there any pleural involvement. These films do not suggest the presence of a tuberculous process."

In forwarding the films to me Assistant Surgeon General C. L. Williams states that the case, to a large degree, hinges on the absolute identification of the plates as being those of the chest of the immigrant under consideration. In my opinion the case hinges on a difference of professional opinion in the interpretation of the films which are identified as one November 91674, dated June 24, 1936, and a second one dated July 15th 1936.

U.S. Consul General at Stuttgart

In the file there is a letter from Dr. Honaker, dated November 6, 1936, addressed to Dr. Leo Friedmann, 69 West 90th Street, New York City in which it is stated that Dr. Friedmann's son Herbert was again examined on November 6, 1936, and again certified as being afflicted with chronic pulmonary tuberculosis.

I wish you would look up the file of the case and particularly the last examination on November 6th and advise me what recommendation you make in this case. Also read the description of the films quoted above from Drs. Quimby, Edwards and Caylor and state whether or not these descriptions are accurate of the films you have of this case. If there seems to be discrepancies I would forward the films I have to you for consideration but before doing this I would like to have your statement with reference to this case.

Respectfully

C. C. Pierce
Medical Director in Supervisory Charge of European Activities.
The Surgeon General,
U. S. Public Health Service,
Washington, D.C.

Sir:--

I have the honor to refer to letter dated December 19, 1936, (file 0135 Friedman, Herbert) and the complete file of this case, which was forwarded to me for a recommendation.

On January 4, 1937, I wrote a letter to Surgeon F. V. Mariwether, in charge of Service activities at Stuttgart, in reference to this case and enclose herewith a copy of this letter.

Dr. Mariwether replied, under date of January 6, 1937, and his letter is attached. Also attached to Dr. Mariwether's letter is a translation of reports made by Dr. Kotsale on June 6, and November 5, 1936, and copy of a letter signed by Mr. John Parr Simmons, Chief of the Visa Division of the State Department in Washington, in which letter it is suggested that this alien, Herbert Friedman, be re-examined again in June 1937.

In Dr. Mariwether's letter there is a quotation from a letter signed by Dr. Leo Friedman, Herbert's father, in which he admits his son is in "poor health", which is not a very accurate diagnosis for a Doctor to make. There is also a reference to my having seen this boy on May 16, 1935. Upon being reminded of this fact I looked up my records and find that I did see the Friedman family on May 15, 1935, and refused to initial a visa for Dr. Friedman's son Heinrich. I did not carefully examine Herbert, as the application for visas for the whole family was withdrawn, on account of Heinrich being refused.

This incident is referred to in my report of Stuttgart, dated June 7, 1935, as follows:--

*On May the 15th a boy was examined at Stuttgart by the writer and Dr. Mariwether, he was referred to the x-rays Consultant for X-ray of the hip and pelvis. The Consultant made a diagnosis of Perthes' disease (osteocondritis
"deformans juvenilis) and the case was so notified to the Consul and later discussed with him. In view of the fact that Dr. Meriwether thought the condition might be due to an arrested tuberculous process, the boy was refused a visa by the Consul and the boy's father, a physician, decided not to go to the States without the child."

The cause of Perthes disease is unknown, and I was at the time (May 15, 1935) inclined to agree with Dr. Meriwether that Heinrich's condition might be due to an arrested tuberculous process.

There is also attached hereto copy of the notification in this case; one signed by Dr. Meriwether on June 24, 1936, and one by Passed Assistant Surgeon H. C. Kinck, on November 5, 1936, both notifying tuberculosis.

In view of the facts in this case it is recommended that Herbert Friedman be examined again not earlier than sometime in June or July 1937, to determine his condition at that time.

The entire file of this case is returned herewith.

Respectfully,

C. C. Pierce
Medical Director in Supervisory Charge
European Activities.

...as stated.
Friedmann, Herbert.

Dr. Thomas Parran, Surgeon General
United States Public Health Service
Washington D.C.

January 10, 1937

Honorable Sir:

Referring to the letters and to the medical reports which you received from Dr. Herbert Edwards, Director of the Tuberculosis Division of the Department of Health of the City of New York, I wish to say the following in connection with the visa case of my son, Herbert.

The immigration visa was refused to my son, Herbert Friedmann, 11 years old, residing now in Frankfurt on the Main, Gaussstr. 18., on June 24, 1936, because of the reason that he was afflicted with tuberculosis of the lungs after an X-Ray was made in Stuttgart by order of the Consul.

My wife, who was still in Germany at that time, had the boy examined in Frankfurt by several physicians, among them two Professors of the University of Frankfurt on the Main. Another X-Ray was made in the hospital of the Jewish Community in Frankfurt. They all stated unanimously that there was no evidence of any tuberculosis. All the skin-tests of tuberculin were also negative. I sent those medical reports to the Consul General in Stuttgart.

My wife brought both X-Ray negatives with her.
to New York City. I showed the negatives to Dr. Aniun, director of Roentgenology of the New York Poly clinic and hospital. He also stated that there was no evidence of any active or latent tuberculosis on the films. The films are in your possession now having been sent to you by Dr. Edibards.

I forwarded the report of Dr. Aniun to the Consul General in Stuttgart, and the child was again examined by the same surgeon of the consulate on November 5, 1936. He insisted, however, on his opinion that the boy suffered from chronic tuberculosis, and therefore the visa was again refused.

Now, by my order, my son was taken to the Pediatrics Clinic of the University Frankfurt for hospitalization. He stayed there from November 30, till December 5, 1936, for observation. He was examined there very thoroughly, and another X-Ray was made. The report of the director of the Pediatrics Clinic of the University is also in your possession. The report also stated that a tuberculous infection could positively be excluded, and that the X-Ray negative did not show the slightest evidence of a tuberculous process.

Honorable Sir, you can imagine our sorrow and anxiety because of the erroneous diagnosis of the surgeon of the consulate in Stuttgart. We have waited more than six months for the visa of the child. Therefore I would like to ask you or the
Department of State, if possible, to send a cable to the American Consul General in Stuttgart to request him to grant the visa to my unhappy child who has been separated from his parents for a long time. You know how serious the political situation in Europe is at present, and a new war may break out any day. We are very much worried in having the boy over there. Honorable Sir, please help us so that Herbert may join his family immediately.

Please be assured that I highly appreciate your help in this matter.

Most respectfully yours,

Dr. Leo Friedmann.
January 15, 1957.

Dr. Leo Friedmann,
144 East 208th Street,
New York, N. Y.

Dear Doctor Friedmann:

I have your letter of January 10, 1957 concerning the case of your son who was refused a consular visa at the port of Stuttgart, Germany.

All papers in connection with the matter, and also the X-ray films, have been transmitted to Medical Director C. C. Pierce, who is in charge of all activities of the Public Health Service in Europe, for his consideration, and he has been requested to expedite disposition of the case as much as possible.

I fully appreciate your anxiety in this matter and am confident that Dr. Pierce will give the case immediate attention and will render an unbiased opinion at the earliest practicable date.

Very sincerely yours,

(Sgd) Thomas Parran

Surgeon General.
File 0125
Friedmann, Herbert

To. Thomas Parran Surgeon General
United States Public Health Service
Washington D.C.

Honorable Sir,

Referring to my letter of January 10, I would like to ask you for an appointment as soon as possible because of the case of my son Herbert. I am making the request in agreement with Dr. Herbert Edward. Please write to me when I can come to your office.

I thank you for your kindness in advance.

Most respectfully yours,

Leo Friedmann, M.D.
January 19, 1937.

Dr. Leo Friedmann,
144 East 208th Street,
New York, N. Y.

Dear Doctor Friedmann:

Receipt is acknowledged of your letter of January 15, 1937 which refers to your letter of January 10, 1937, and requesting an appointment with me as soon as possible in connection with the case of your son.

Assistant Surgeon General C. L. Williams, who is thoroughly familiar with the case and who has conducted the correspondence with the medical officer in supervisory charge of all Public Health Service activities in Europe in connection therewith, is absent from the city, and it is suggested that you defer your visit to Washington until his return. Dr. Williams is expected back in his office on or about January 25th. and, so far as is known at this time, will be able to see you any day during that week. However, a definite appointment, of which you will be advised, will be made immediately upon his return.

Very sincerely yours,

(Sgd) Thomas Parran

Surgeon General.
TREASURY DEPARTMENT
UNITED STATES
PUBLIC HEALTH SERVICE
Paris, France.
January 22, 1937.

The Surgeon General,
U.S. Public Health Service,
Washington, D.C.

Sir:

I have the honor to acknowledge receipt of letter dated Dec. 30th, 1936 signed by Assistant Surgeon General C.L. Williams with which was transmitted further data with respect to the Herbert Friedman case, file 0125.

A report on this case was mailed by me on Jan. 9th, 1937, and I see no reason for changing the recommendation made in that letter which was that Herbert Friedman be again examined in June, 1937.

The enclosures sent with letter of Dec. 30th 1936 are returned herewith.

Respectfully,

Medical Director.

End. 7

I have asked Dr. Merriweather to comment on the Medical Report of the Frankfort Clinic.

Ft. c.l.w.
January 25, 1957.

Dr. Lee Friedmann,
144 East 206th Street,
New York, N. Y.

Dear Doctor Friedmann:

Reference is made to letter of January 18, 1957 from this office in reply to your letter of January 15, 1957, requesting an appointment as soon as possible in connection with the case of your son.

January 28th is suggested as the most suitable date, if found convenient to you, for your conference at my office, Room 225, Public Health Service Building, 19th and Constitution Avenue, Northwest, relative to the case of your son, at which time I will be glad to discuss the matter with you in detail.

By direction of the Surgeon General.

Very truly yours,

(Sgd) C. L. Williams

C. L. Williams
Assistant Surgeon General
Foreign Quarantine Division.
File No. 0125
Friedmann, Herbert

144 East 208 th St.
New York City

January 26, 1937

To C. L. Williams
Assistant Surgeon General
Washington D.C.

Honorable Dr. Williams:

In reference to your letter of January 23, 1937 I would like to inform you that I shall be at your office for a conference on January 28, 1937 in the morning.

I thank you very much for your kindness.

Very respectfully yours,

Dr. Leo Friedmann

Dr. Friedmann Called
Jan 28 - A.M.
07777
January 28, 1937

Mr. J. F. Simmons,
Chief, Visa Division,
State Department,
Washington, D. C.

Dear Mr. Simmons:

This will be brought to you by Dr. Lee Friedman concerning the case of his son of which you are aware. Dr. Friedman tells me he will request a reexamination of his son by a board. Should the Consul request a review of the case by a board, this office will make no objection.

Respectfully,

(Sgd) C. L. Williams

C. L. Williams
Assistant Surgeon General,
Foreign Quarantine Division.
VIA GOVERNMENT FACILITIES

Pierce
AmEmbassy
Paris

January 28, 1947

Orders being issued convening board Spencer Nelson Ruskovich on request
Consul General Stuttgart to reexamine Herbert Friedmann

(Sgd) Rudder
Surgeon General

C.L.W.
CROSS REFERENCE SHEET

FILE NO. 1650-Spencer, H. A.  DATE: 1/29/37

FROM: Bureau (OLW:HLN)  TO: Spencer—Amer. Consul—Hamburg, Germ.

SUBJECT: TEL directing Dr. Spencer to Stuttgart to reexamine Herbert Friedmann, an alien.
CROSS REFERENCE SHEET

FILE NO. 1650-Nelson, H. G. Date 1/29/37

FROM Bureau (CLW:NLN) To Nelson--Amer. Consulate--Berlin, Germ.

SUBJECT: Tel: "DIRECTED PROCEED STUTTGART AT CALL OF SPENCER SERVE ON BOARD"
CROSS REFERENCE SHEET

FILE NO. 1650-Rumreich, A. S.  DATE 1/29/37

FROM Bureau (JLWNLN)  TO Rumreich--Amer. Consulate--Moscow, U.S.S.

SUBJECT: Tel: "DIRECTED PROCEED STUTTGART AT CALL OF SPENCER SERVE ON BOARD"
TREASURY DEPARTMENT
UNITED STATES
PUBLIC HEALTH SERVICE

American Government Office Building, 2 avenue Gabriel
Paris, January 29, 1937

The Surgeon General,
U. S. Public Health Service,
Washington, D.C.

Sir:—

I have the honor to acknowledge receipt of cable dated January 29, 1937, reading as follows:—

"Orders being issued convening board Spencer Nelson
Hunreich on request Consul General Stuttgart to
reexamine Herbert Friedman."

A letter has been written to each of the three officers
mentioned, quoting the cable, so that they may arrange to
meet in Stuttgart on the date the Consul General and Dr.
Spencer arrange to have the board meet to examine Herbert
Friedman.

I can take Dr. Spencer's place on the Hamburg circuit; I
presume Dr. Nelson can arrange to be away from Berlin for
one day, and Dr. Hunreich needs no replacement for a short
period.

Respectfully

C. C. Pierce
Medical Director.
January 30, 1937

Medical Director C. C. Pierce,
U. S. Public Health Service,
American Government Office Building,
Paris, France.

Dear Doctor Pierce:

This is being written and signed by me because Dr. Farran is too busy with emergency measures that have arisen on account of the serious floods in the Ohio and Mississippi Valleys to have time to give to this case. I have, however, talked it over with officers of other Divisions, and I believe we are agreed as to the impression made upon us by the case of Herbert Friedmann.

To begin with, I fear that I failed to convey to you the essential point concerning the X-ray plates, in that one of them (marked "91674") is stated to be the identical plate utilized by Dr. Meriwether in arriving at a diagnosis; this appears in the file in my letter to Dr. Sandidge and in Dr. Edwards' letter to Dr. Farran. Several of our officers have seen this plate and cannot find in it the conditions described by Dr. Kotsle, nor any other indication of tuberculosis. It was desired that Dr. Meriwether identify the plate or reject it as a forgery.

Next in order comes Dr. Meriwether's letter to you dated January 6th. In this he reports that, on original examination of the boy, he found suggestive signs with which the X-ray examination checked. But unfortunately it is just this X-ray examination which does not appear to check, -- at least as viewed by our officers on this side.

The next examination of this case was made by Dr. Rinak, who appears to have placed himself in an untenable position by recording that his examination was negative, but because the former examination in June was positive, it was not believed that sufficient time had elapsed to say that the lung was free from tuberculosis.

Apparently to strengthen the case against Herbert Friedmann, a reference is made by Dr. Meriwether to Herbert Friedmann, which case he states was seen by you and by Dr. Gorman. There is no evidence cited that you or Dr. Gorman saw Herbert Friedmann. Nevertheless, Dr. Meriwether states in his final paragraph that "This case (Herbert Friedmann) has been examined by three and probably four American physicians (Doctors Pierce, Meriwether, Rinak and probably Gorman)."

In discussing the interpretation of the films, Dr. Meriwether states, "With different technique, such marked difference in pictures
can be obtained that differences of opinion are likely to occur*. Of course this misses the point entirely, since the question here is not whether different technique shows a difference in pictures but a matter of the interpretation of (presumptively) the same film.

Apparently Dr. Meriwether's report boils down to a statement that he made a diagnosis of tuberculosis and that four months later Dr. Rinck could find no evidence of such a condition. Since Dr. Meriwether stated he based his diagnosis partly on the X-ray plate which is now the subject of controversy, the case appears so susceptible of attack that I could offer little objection to the demand of the child's father that his son be reexamined by a board.

I am again enclosing the file on this case for transmission to the board if this can be accomplished before it has completed deliberations. This letter should not accompany the file. The file should be returned to this office when no longer required.

I believe that other diagnoses of tuberculosis made by Dr. Meriwether will be subjected to attack, and since you will have to handle the cases, I requested you be not encumbered by serving on this board.

By direction of the Surgeon General:

Respectfully,

C. L. Williams
Assistant Surgeon General,
Foreign Quarantine Division.

[Signature]

CLW:MLW
Incl.
The Surgeon General,  
U.S. Public Health Service,  
Washington, D. C.

Sir: (Through Medical Director C. G. Pierce)

As directed in Bureau Cablegram of January 30, 1937

"Directed on request Consul General convene Board yourself chairman Nelson Rumreich reexamine Herbert Grieden at Stuttgart stop Inform Nelson Rumreich date of meeting when decided."

and as amended in Bureau Cablegram of January 30, 1937,

"Burow Naples detailed Board Rumreich relieved."

I have the honor to submit the following preliminary report.

The Board met in the office of the American Consulate General, Stuttgart, Germany, on February 8, 1937 at 9 AM.

Fourteen (14) applicants were presented by the Consul General and examined as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Previous action and date</th>
<th>Disease</th>
<th>Board action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Margot Woisin</td>
<td>Deferred 4/1/36</td>
<td>Suspected TB. Glands of neck</td>
<td>Notified &quot;A&quot; for TB. lymph nodes cervical right</td>
</tr>
<tr>
<td>Kurt Freudenthal</td>
<td>Deferred 7/4/36 Deferred 7/4/36</td>
<td>Observation Lunge</td>
<td>Deferred further observation aet. acute respir-atory infection.</td>
</tr>
<tr>
<td>Name</td>
<td>Previous action &amp; date</td>
<td>Disease</td>
<td>Board Action</td>
</tr>
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<td>---------------</td>
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</tr>
<tr>
<td>Marchle Alter</td>
<td>Notified 2/2/37</td>
<td>Dull and mentally defective</td>
<td>Passed &amp; not notified</td>
</tr>
<tr>
<td>Friedrich</td>
<td>Deferred 10/22/36</td>
<td>TB. suspect</td>
<td>Notified &quot;B&quot; Defective vision</td>
</tr>
<tr>
<td>Heilbronner</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max Haberer</td>
<td>Notified 7/13/36</td>
<td>TB. chronic pulmonary</td>
<td>Notified &quot;A&quot; TB. Pulmonary chronic</td>
</tr>
<tr>
<td>Peisach Kennert</td>
<td>Notified 10/23/35</td>
<td>Trachoma</td>
<td>Notified &quot;B&quot; Senility, Hypertension arterial</td>
</tr>
<tr>
<td></td>
<td>Deferred 9/23/35, 8/20/35 &amp; 1/14/37</td>
<td></td>
<td>B.F.184/104. Defective vision,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Herbert</td>
<td>Notified 6/24/36 &amp; 9/5/36</td>
<td>TB. Pulmonary chronic</td>
<td>Notified &quot;A&quot; TB. Pulmonary chronic</td>
</tr>
<tr>
<td>Friedmann</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dora Perel</td>
<td>Notified 11/12/36 &amp; 1/11/37</td>
<td>Trachoma</td>
<td>Notified &quot;A&quot; Trachoma</td>
</tr>
<tr>
<td>Herbert Selig</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilhelmmina</td>
<td>Deferred 10/10/36</td>
<td>TB. suspect</td>
<td>Passed</td>
</tr>
<tr>
<td>Kosterich</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hans Cohn</td>
<td>Notified 12/2/36</td>
<td>Mentally defective</td>
<td>Notified &quot;B&quot; Disease of Central Nervous System Internal Strabismus</td>
</tr>
</tbody>
</table>

SUMMARY

1. Previously deferred and deferred by Board ........... 1
2. Previously deferred and passed by Board ............ 4
3. Previously deferred and notified by Board ........... 1
4. Previously notified and passed by Board ............. 2
5. Previously notified and renotified by Board .......... 6

Respectfully,

(Signed) H. A. Spencer, Chairman
(Signed) W. C. Nelson, Member
(Signed) F. Paul Buras, Recorder.

Paris, February 12, 1937
Respectfully forwarded.

(Signed) C. C. Pierce,
Medical Director.
February 15, 1937.

The Surgeon General,
U.S. Public Health Service,
Washington, D.C.

Sir:-

I have the honor to acknowledge receipt of letter of January the 30th, 1937, signed by Assistant Surgeon General C. L. Williams, with which there was forwarded to me the complete file of the Herbert Friedmann case, at Stuttgart. I regret very much that this file did not reach me in time to be turned over to the Spencer Board for consideration by that Board, when Herbert Friedmann was reexamined on February 6th, 1937.

However, the Spencer Board found Herbert Friedmann affected with chronic pulmonary tuberculosis and it is therefore assumed that controversy with respect to the x-ray plate marked "91674" may now be discontinued.

On reading carefully the letter dated January the 30th I am of the opinion that I should have gone to Stuttgart with the x-ray films of the young Friedmann instead of taking up the matter by correspondence with Dr. Meriwether. I had intended going there to discuss this question with him but he seemed so positive of the diagnosis which he discussed in his letter of January the 5th to me, that I did not feel that it was necessary. This case was certainly susceptible to attack and I am very glad that Drs. Spencer, Nelson and Burrow were given an opportunity of reexamining this case which will seem to be settled for the time being, although Dr. Meriwether has suggested to the Consul at Stuttgart that Herbert Friedmann be examined again some time next summer and a notification to that effect was sent out to the Friedmann family. I do not know whether Dr. Spencer made any recommendation as to a date for reexamination of young Friedmann or not. If he did make such a recommendation I think Herbert Friedmann should be again examined at the time recommended by Dr. Spencer.

I think also that it was a very good idea not to have me on the Stuttgart Board for the reason that certain
interests that are opposed to our findings might claim that I was prejudiced or was endeavoring to protect Dr. Meriwether.

As requested in letter \[\text{date}\] of January the 30th, the complete Friedmann file is returned herewith.

Respectfully

\[\text{signature}\]

C. C. Pierce
Medical Director.

Encl.
February 20, 1937

Dr. Thomas Parran
Surgeon General
United States Public Health Service
Washington, D. C.

Dear Dr. Parran:

This will introduce to you, Dr. Leo Friedmann of New York, of whom I have written to you on December 4th and 24th, relative to his child, Herbert, in Frankfort, Germany.

I deeply appreciate your interest and the fact that you turned the matter over to Dr. C. C. Pierce for further consideration. Since that time the child has been reexamined by the Consular Authorities at Stuttgart, Germany with the same opinion, namely, that he is suffering with chronic pulmonary tuberculosis and is therefore, not entitled to a visa.

As indicated in my previous correspondence on this case, I have personally reviewed several x-rays, all of which have been submitted to your office, and in none of which am I able to interpret a tuberculous disease. Furthermore, I have seen reports, copies of which were sent to you, from the University Hospital at Frankfort, in which it is clearly indicated that the tuberculin test was negative. Thus, from the reports and x-rays on examination of the child in Germany, there appears to be no evidence of either a tuberculous infection, much less disease.

I realize that your time is very limited but I am wondering if it would be at all possible for you to grant Dr. Friedmann an interview, as the very nature of the matter obviously is of the greatest moment to him. I do not wish to criticize the action of the Medical Personnel in Stuttgart, but it does seem to me that if the same material is available there that has been presented here in New York, that there can be only one reasonable conclusion, namely, that the child is not suffering with chronic pulmonary tuberculosis. I trust that some way will be found to appraise the child's condition on the basis of the material available.

Thanking you for any consideration you may be able to give, I am,

Very sincerely yours,

Herbert R. Edwards, M.D.
Director, Bureau of Tuberculosis
February 25, 1937.

Herbert R. Edwards, M. D.,
Director, Bureau of Tuberculosis,
Department of Health,
125 Worth Street,
New York, N. Y.

Dear Doctor Edwards:

Your letter of February 20, 1937 has been referred to
the Foreign Quarantine Division for reply.

Information has been received in the form of a report of
a medical board held to review the case of Herbert Friedmann at Stuttgart, Germany. The finding of the board holds the diagnosis to be,
as in the previous examinations, Pulmonary Tuberculosis, Chronic,
notifiable as a Class "A" disease, and, as such excludable from the
United States. Since this board has impartially examined the case
and reviewed previous findings, it is regretted that no further steps
in this case can be taken by the Public Health Service unless requested
by the Consul at Stuttgart.

Dr. Friedmann has been advised of these findings, and, in
accordance with his request for an interview, has been notified that
Dr. C. L. Williams, Assistant Surgeon General in Charge of the Foreign
Quarantine Division, will be available during the coming week at such
time as Dr. Friedmann may elect to see him.

By direction of the Surgeon General.

Respectfully,

A. W. F. Draper

Assistant Surgeon General
For Foreign Quarantine Division

CBS: LN
Dr. Thomas Parran  
Surgeon General  
United States Public Health Service  
Washington D.C.

Honorable Dr. Parran:

I am enclosing a letter from Dr. Herbert Edwards, Director of the Bureau of Tuberculosis, to you. In referring to it I would appreciate it if you would be good enough to grant me an interview at your earliest convenience. For me any day would be suitable. Please, advise me the date and hour you wish to see me.

I am much obliged to you for your great interest in the case of my child.

Most respectfully yours,
Leo Friedmann M.D.
February 25, 1937.

Leo Friedmann, M.D.,
144 East 208th Street,
New York, N. Y.

Sir:

Reference is made to your letter of February 22, 1937 requesting an interview with Dr. Farran, Surgeon General of the Public Health Service, for the purpose of reviewing the case of your son Herbert Friedmann, now in Frankfort, Germany.

Information is at hand to the effect that the case of Herbert Friedmann has been examined separately by Dr. Meriwether, with a review of the case by Dr. Rinck, and a subsequent review of the case by a medical board consisting of three officers of the Public Health Service stationed away from Stuttgart, with the diagnosis in each case of Chronic Pulmonary Tuberculosis, a Class "A" notifiable disease.

Dr. C. L. Williams, Assistant Surgeon General in charge of the work in question, will be able to see you at any time within the coming week if you still desire an interview.

The Public Health Service regrets that, in view of the findings of the board of review, further action in this case cannot be taken at this time. Any further consideration in the light of new examinations will be gladly entered into at the request of the Consul at Stuttgart, but it is advised that no further examination be made until a time period of six months has elapsed.

By direction of the Surgeon General,

Respectfully,

[Signature]

W. F. Draper

Assistant Surgeon General
For Foreign Quarantine Division
February 26, 1937

Dr. W. F. Draper  
Assistant Surgeon General  
For Foreign Quarantine Division  
Treasury Department  
Public Health Service  
Washington, D.C.

In Re: PHS File #0125 Gen  
(Friedmann, Herbert)

Dear Dr. Draper:

Thank you for your letter of February 25th relative to the case of Herbert Friedmann.

Of course it is impossible for me to draw an opinion on the above case in view of your report on a recent examination. I have only been privileged to see such x-rays and reports as have been sent from Frankfort to the patient's father. Certainly in that material I see no cause nor justification for such a diagnosis.

I have suggested to the father the possibility of hospitalizing his son for a week at a recognized hospital or clinic in Germany where a complete medical work-up, including tuberculin test, physical examination and x-ray, might be submitted in evidence to the Consul at Stuttgart.

While this case is of no immediate concern to myself, it is just one of those problems that we meet in our daily contact in which we deeply sympathize with the persons involved and in which we are anxious to do anything within our power to assist.

Sincerely yours,

[Signature]

Herbert R. Edwards, M.D.  
Director, Bureau of Tuberculosis

[Handwritten Notes]
144 East 208th St.
New York City
March 11, 1937

Dr. Thomas Parran
Surgeon General
United States Health Service
Washington D.C.

Honorable Dr. Parran:

Referring to the case of my son Herbert I would like to ask you to return to me the medical reports and the X-Ray films which Dr. Herbert forwarded to you in December 1936.

Thanking you in advance I am

Respectfully yours,
Leo Friedmann M.D.

Die Untersuchung ergibt also einen Verdichtungsherd in der linken Spitze, der offenbar in Rückbildung begriffen ist, aber noch nicht völlig vernarbt erscheint.

(Signed) D. Koetsle
AMERICAN CONSULAR SERVICE
Stuttgart, Germany, August 27, 1936.

Dr. Leo Friedmann
Apartment 4C, 69 West 90th Street
New York, New York

Sir:

The receipt is acknowledged of your letter dated August 11, 1936, with further reference to the case of your son, Herbert Friedmann, of Frankfort-on-the-Main, Germany, to whom an immigration visa was refused at this office on June 24, 1936, for the reason that he was certified to be afflicted with pulmonary tuberculosis of both lungs. You state that you have had your son examined by two physicians in Frankfort and they have advised you that the results of the examination were negative and your son is in excellent health. You request that your son's case be reconsidered.

You will appreciate, I am sure, that in acting upon the visa applications of aliens who are diseased or physically or mentally defective, the Consulate must be governed by the findings of the medical officers of the United States Public Health Service who are attached to this office in the capacity of technical advisers. These officers are fully conversant with the provisions of the immigration laws and the practices of the immigration authorities in American ports of arrival. Intending immigrants are carefully examined and in any case where doubt exists as to an applicant's physical or mental condition, he is held for such further examination or observation as may be deemed necessary. In the case of your son, Herbert, the certificate of tuberculosis was issued only after an X-ray negative had been made.

I have conferred with the examining surgeon and he has advised me, after consulting his records, that, in his opinion, a reexamination of your son within one year would not be warranted.

Respectfully yours
(Signed) Samuel W. Honaker
American Consul General
American Consular Service
Stuttgart, Germany, October 7, 1936.

Dr. Leo Friedmann
69 West 90th Street
New York, New York.

Sir:

The receipt is acknowledged of your letters of September 21 and 22, 1936, with further reference to the case of your son, Herbert Friedmann, to whom an immigration visa was refused at this office on June 24, 1936, for the reason that he was certified to be afflicted with pulmonary tuberculosis of both lungs. You enclose a certificate dated September 22, 1936, from A. J. Quimby, M.D., Director of Roentgenology of the New York Polyclinic Medical School and Hospital, stating that after examining two films dated 24/6/36 and 15/7/36 marked Herbert Friedmann he is of the opinion "that there is no evidence on these films of an active or latent T.B. of recent origin in the lungs or any other thoracic structure".

I have shown your letter and Doctor Quimby's certificate to the medical officer of the United States Public Health Service who is attached to the Consulate in the capacity of technical adviser and he has expressed his willingness to reexamine your son. Herbert has accordingly been requested to call at this office on October 15, 1936, for another examination. Please be assured that he will be given every consideration possible consistent with the immigration laws and regulations.

Respectfully yours

(Signed) Samuel W. Honaker
American Consul General
American Consular Service

Stuttgart, Germany, November 6, 1936.

Dr. Leo Friedmann
69 West 90th Street
New York, New York.

Sir:

Reference is made to the Consulate's letter dated October 7, 1936, advising you that your son had been invited to call at the Consulate on October 15, 1936, to undergo another physical examination.

For personal reasons it was not feasible for him to appear on the appointed date but he called today and the examining surgeon certified that he was afflicted with chronic pulmonary tuberculosis. In view of this certification it was not possible for the Consulate to reverse the decision reached at the time of his original application.

May I again assure you that the case of your son has been given every consideration possible consistent with the immigration laws and regulations.

Respectfully yours

(Signed) Samuel W. Honaker
American Consul General
Translation

PEDiATRICS CLINIC OF THE
UNIVERSITY
MUNICIPAL HOSPITAL SACHSENHAUSEN
TELEPHONE 20017
Frankfort a.M. Sued. 9/12/36
Eschenbachstrasse 14

Medical Report.

The child Herbert Friedmann was taken to the Pediatrics Clinic of the University of Frankfort on Main for hospitalization because of the question of a probably existing tuberculosis. All the skin tests of tuberculin were negative so that the evidence of a tuberculous infection could positively be excluded. Neither did the X ray examination show the slightest evidence of a tuberculous process.

(Signed) de Rudder

Director of the Pediatrics Clinic of the University

SEAL

reading:
Pediatrics Clinic
University Frankfort on M.

CITY OF NEW YORK  )
STATE OF NEW YORK  ) SS:
COUNTY OF NEW YORK  )

Hermine Jeselson, being duly sworn,
deposes and says:

That she is a translator, employed by the
New York Section, National Council of Jewish Women, 221 West 57th Street,
New York City, N.Y.

That she has personally translated the above and herewith certifies that it represents a true translation of the original document herewith attached.

(Signed) Hermine Jeselson
New York Section National Council of
Jewish Women Translation Service

Sworn to before me
this 25th day of January 1937
(Signed) Augusta Meyerson

SEAL
New York Polyclinic
Medical School and Hospital
541-555 West Fiftieth Street
New York

November 21, 1956

To whom it may concern:

After re-examining the films marked Herbert Friedman dated 24/6/56 # 91674 and Herbert Friedman dated 15/7/56 I again wish to say in my opinion that there is no evidence on these films of an active or latent T.B. of recent origin in the lungs or any other thoracic structure. The calcium deposits in the peribronchial tissue originated from an infection in early childhood and is of the type seen in all lungs at this age period.

Respectfully submitted

(Sgd) A. J. Quimby

Director of Roentgenology
March 15, 1957.

Dr. Leo Friedmann,
144 East 208th Street,
New York, N. Y.

Dear Doctor Friedmann:

In accordance with your request of March 11, 1957, I am returning herewith the X-Ray films, medical certificates, and letters addressed to you by the American Consular Service at Stuttgart, relative to the case of your son Herbert Friedmann.

By direction of the Surgeon General.

Respectfully,

(Sgd) C. L. Williams
C. L. Williams
Assistant Surgeon General
Foreign Quarantine Division

CAS: LN
Incls.
June 24, 1936 an immigration visa was refused to my son Herbert Friedmann, now 11 years old, residing in Frankfurt on the Main, Germany, by the American Consulate in Stuttgart, because the surgeon of the Consulate, Dr. Meinechter, certified that the child was afflicted with tuberculosis of both lungs.

In July 1936 Herbert was examined by two professors of the University in Frankfurt, by Professor Dr. von Mettenheim and Professor Dr. Isaac. An other X-Ray and tuberculin tests were made. Both professors stated in their reports that Herbert Friedmann was absolutely healthy and there was no evidence of tuberculosis. I forwarded these reports to the consulate in Stuttgart.

The X-Ray film which was made by order of the consulate in Stuttgart on June 24, 1936 and the film which was made in Frankfurt on July 30 were reviewed by Doctor A. Animby, director of Roentgenology at New York Polyclinic on 50th St. He stated that there was no evidence of active or latent tuberculosis on the films. I also forwarded this report to the American Council.
General in Stuttgart.

On November 5, 1936 our child was reexamined by the surgeon of the consulate. But he insisted on his opinion, that the child was suffering from chronic pulmonary tuberculosis.

On November 30, 1936 Herbert was taken to the Pediatrics Clinic of the University in Frankfurt on the Main for hospitalization. He stayed there for 5 days for observation. Professor Dr. de Rudder, the head of the Clinic stated in his report that all intracutanous tests of tuberculosis were negative and that tuberculosis could positively be excluded. Neither did the x-ray examination show the slightest evidence of a tuberculous process.

Dr. J. J. Edlin, chief of tuberculosis service, and Dr. Herbert R. Edwards, director of the Bureau of Tuberculosis, both of the Department of Health of the City of New York, also reviewed the mentioned x-ray films, and they both declared in their reports that we can rule out tuberculosis as a diagnosis.

Dr. Edwards forwarded the Krontgenfilms and
the medical reports to Dr. Parran, Surgeon General of the United States Health Service. Dr. Parran asked his Supervision of Foreign Services to review the material and to clear the case.

On February 8, 1937 my son was examined by a board of doctors of the United States Health Service in Stuttgart. The board confirmed the diagnosis: chronic pulmonary tuberculosis, and the visa was again refused.

On May 28, 1937, after I had received the Roentgenfilms from the Pediatrics Clinic, Frankfurt, I presented the 3 films to Dr. J. Burns Amberson at Bellevue Hospital, New York City, a well-known Authority for tuberculosis. He stated in his report that there is no evidence of the presence of pulmonary tuberculosis on the Roentgenfilms, marked Herbert Friedmann.

On June 7, 1937, our child was reexamined by a board of doctors in Stuttgart, and the visa was again refused.

The 3 above mentioned Roentgenfilms are all in my possession.

Leo Friedmann M.D.
Belleview Hospital, New York City.  May 28, 1937.

To whom it may concern:

I have seen the roentgenographs, which I told are those of Herbert Friedman, dated as follows:

June 24, 1936  # 91674
July 15, 1936 and
December 1, 1936.

There is no evidence from these roentgenographs of the presence of pulmonary tuberculosis.

(signed)  

J. Burns Amberson M.D.  
Visiting Physician.

Sworn to before me  
this 18th day of June, 1937.  

[Signature]
Registered!

Dr. Thomas Parran
Surgeon General
U.S. Public Health Service
Washington D.C.

My dear Dr. Parran:

I appeal to you to regard it as my duty to as the highest authority in matters of public health concerning an abuse of the discretionary power which in my opinion should under no circumstances be tolerated.

The American Consul General at Stuttgart has refused to grant a visa to a young boy, Herbert Friedmann, to enable him to enter the United States and join his parents, who came to this country a year ago, the refusal being based on a statement of the Consulate's physician that the child is tubercular. Repeated examinations by impartial physicians have proved that the boy is in perfect health. Nevertheless the Stuttgart Consul General repeatedly upheld its previous decision adhering to the contention that the boy is tubercular, on the basis of renewed official examinations after further applications for a visa had been made.

The presence of tuberculosis can always be established beyond doubt. Therefore it should be possible to obtain a reliable statement of the true facts. In the case in question the absence
of the disease had been definitely established by examinations of impartial and reliable physicians. I am enclosing part of this evidence.

I personally have received the strongest proof of the untrustworthiness of the official Stuttgart statement in the following incident; I have spoken to a reliable young man who recently emigrated from Germany; when I told him about the Stuttgart Consular's refusal to issue the visa for the child, without giving the young man the reason for the refusal, he immediately said: "That is an old story. Tuberculosis!" This shows clearly that this case is not an isolated case but that it is becoming a dangerous practice.

Under these circumstances I regard it as my duty to draw the attention of the responsible authorities to this case and to appeal to them for a thorough impartial investigation. Mere humanity commands us to end the separation of the child from its parents. It is, moreover, of the highest importance that the integrity of the agencies of the Government should be firmly established in the eyes of the public and that
-3- Dr. Parran, Washington D.C.

confidence in them shall be in no way impaired. For that reason I shall spare no effort to straighten out this matter.

Respectfully yours,

Albert Einstein.
Professor Albert Einstein.

2 Encl.

G.A.Z.
Professor Albert Einstein,
Post Office Box 425,
Huntington, Long Island, New York.

My dear Professor:

I beg to acknowledge your letter of June 25th, in which you state that you have become interested in the case of Herbert Friedmann. I wish to state that this case has been examined separately by various officers of the Public Health Service detailed to the Consulate at Stuttgart on the dates of May 15, 1935, June 24, 1936, September 5, 1936, and November 5, 1936, and has been examined by a review board, consisting of three Public Health Service officers not regularly attached to the Stuttgart Consulate but convened there, on the dates of February 8, 1937, and June 7, 1937.

The individual examinations and those conducted by the boards included X-ray examinations and review of films previously taken as supportive evidence to the clinical findings. The findings in the case following each examination and also rendered by the two review boards have resulted each time in a certification of pulmonary tuberculosis, Class "A", which is a mandatorily excludable condition.

I regret exceedingly that, in view of the findings made and supported by such a preponderance of opinion, I am unable to offer any solution that might alleviate the situation. However, as has been advised previously, it would appear reasonable that this case might be reexamined in the future, at which time sufficient improvement may have occurred which would permit the issuance of a certificate upon which a visa might be granted.

I trust that this information will convey to you our sincere wish to render an unbiased opinion in regard to the state of health of applicants for visa on the basis of medical examinations made by officers of the Public Health Service.

Respectfully,

[Signature]

Surgeon General.
Dr. Thomas Parran  
Surgeon General  
Washington D.C.

Honorable Dr. Parran:

I just received a copy of your letter of June 30, 1937 which you wrote to Professor Albert Einstein.

Referring to it I would like to inform you that there is an important error contained in your letter. You stated that my Son Herbert had been examined on May 15, 1935 for the first time. In connection with that I want to say the following:

I have two children, Heinrich, 14 years old, and Herbert, 11 years old. I made an application for a visa for myself and my son Heinrich on May 15, 1935. A visa had been refused to my son Heinrich at that date, because the surgeon of the consulate certified, that he was physically defective.

On June 24, 1936 my wife applied for a visa for herself and our two children. The visa was granted to my wife and my son Heinrich, and they both were lawfully admitted to this country. But the visa was refused to my Son Herbert, who was examined on June 24, 1936 for the first time. I underline that.

I received many letters from Mr. John Farr Simmons, Chief of the Visa Division, in which he always referred to Heinrich Friedmann instead of Herbert. I repeat once more, Heinrich was lawfully admitted. It seems to me, that both cases have been mixed up. Perhaps this is one of the reasons that my child Herbert has been refused four times already.

In addition you wrote that Herbert was examined on September 5, 1936. This also must be an error, because Herbert was not in Stuttgart at that date.

Very respectfully yours,

Leo Friedmann M.D.
August 16, 1937.

Dr. Leo Friedmann,
144 East 206th Street,
New York, N. Y.

Dear Doctor Friedmann:

Acknowledgment is made of your letter of August 10th, in which attention is drawn to two errors occurring in the recent communication to Professor Albert Einstein.

It is regretted that two dates were mentioned on which, in one case Heinrich Friedmann was examined and notified, and in the case of the other (September 5, 1936) Herbert Friedmann was stated to have been examined, which is definitely an error.

However, the fact remains unaltered that Herbert Friedmann was examined on two separate occasions (June 24, 1936 and November 5, 1936) by a medical officer attached to the consulate, and in turn the findings were reviewed on two separate occasions (February 9, 1937 and June 7, 1937) by boards consisting of three medical officers detailed for the express purpose of reviewing cases certified. The diagnosis following each examination and review was found to be tuberculosis, pulmonary, and as such mandatorily excludable.

Respectfully,

(sgd) Thomas Parran

Surgeon General.