

THE McWHORTER AFFIDAVIT

"TO WHOM IT MAY CONCERN:

"In order to put on record the facts we know concerning the illness, treatment and recovery of our daughter, Judith McWhorter, here in after referred to as just Judy, we make the following statement of our own will and accord, without promise of or hope of any remuneration, and having previously received no remuneration of any kind.

"After a normal birth, Judy, before the age of six weeks, showed signs of illness. Her abdomen was enlarged, she was restless, and her face did not show the repose of a healthy baby.

"Her physician who was a doctor in good standing, a member of the American Medical Association, and a man whom we trusted and still hold in high esteem, could not find anything wrong with her until his check up and examination at the end of her eighth week. At that time the doctor found her abdomen hard and much distended. During the period from August 20, 1948 to August 27, 1948 a tentative diagnosis of cancer was made and X-rays were given although the X-ray technician stated that it was hopeless to expect a recovery.

"By the time Judy was three months old that attending physician and another surgeon made an exploratory operation on Judy's abdomen at which time a biopsy was made. The physicians reported to us that the biopsy showed a high degree of malignancy which involved 85% of the child's liver. They told us that there was nothing that could be done to save Judy's life; that we should take her home and make her as comfortable as possible for the few days that she could live.

"Her life expectancy was placed at 21 days. We were told not to remove the bandage from her abdomen lest the stitches burst out. It was the doctor's opinion that the incision in her abdomen would not heal.

"For some days prior to this time Mr. Joseph O. Noah, a neighbor and old friend of Mrs. McWhorter and her family, had been advocating the use of the treatment offered by Dr. William Fredrick Koch ... None of us had much confidence in his treatment.

"When our doctor was consulted he assured us it was useless. He said he would not give it to his own child under the same circumstances, and that it would be an unnecessary and useless infliction of pain on the patient. He also made the statement that he would believe in the treatment if he could see one case recover from the use of it where a biopsy showed positive malignancy.

"It was while we were considering this treatment that Time (magazine) published its defamatory article about Doctor Koch in the issue of September 6, 1948. This article was brought to our attention by both our physician and Mr. Noah. We found it very hard to take Dr. Koch's treatment seriously in the face of such criticism. Nevertheless when we had no other hope and since Mr. Noah made it possible for us to take the treatment without immediate cost to us, we decided to try it.

"Dr. Koch's therapy was given by Dr. N. T. Mulloy of Cisco, Texas. The dose was injected into Judy's hip on September 18, 1948. At this time and during the course of Judy's recovery, Mr. Noah took a series of color pictures showing her progress. Previously he had taken two pictures at six weeks of age and before diagnosis of cancer. This series of pictures gives a good idea of her case.

"At the time the injection was given, Judy's abdomen was so much enlarged that she could hardly breathe due to upward pressure on her lungs. The circulation on the surface had greatly increased and she had a bluish cast from a diffusion of blood in and just under the skin. Veins under the skin of the abdomen were plainly visible. The abdomen was very firm, even hard. At the time the Koch's treatment was given, Dr. Mulloy expressed no hope of securing a recovery as he thought the case was too far advanced.

"Within ten days after treatment Judy showed definite reactions which raised our hopes. Shortly she began to pass large quantities of mucous with bowel movements. She also passed a large amount of water in the normal manner, sometimes requiring as many as twenty diaper changes per day. No medication was used after the injection of the Koch treatment and only minor changes were made in the baby's diet. Apple juice was substituted for orange juice, and Judy liked it. After treatment was given and until recovery was practically completed, only one doctor saw Judy. That was a doctor residing at Azle, Texas, who removed the stitches from the healed incision about the middle of October 1948.

"During the early days of the recovery process Mrs. McWhorter reported to the doctor who had previously cared for Judy and who had advised against the Koch Treatment, that she was

apparently getting better. He admonished the mother not to entertain false hopes. He said that it was impossible for a dose of any chemical to 'destroy' such a large growth.

"On the other hand, Mr. Noah stated that the doctor's remarks showed that he had no conception of how the treatment was to work. He said one might as well say that a small match could not start a large fire and destroy a forest.

"Soon Judy began to gain weight and her abdomen rapidly reduced in size and became more soft and pliant so that she could breathe better. The hard growth receded towards the lower right side. By December 25, 1948, she had a healthy and normal appearance as the pictures mentioned before show, but some trace of the growth remained.

"Later, about May 12, 1949 I had her examined by a doctor in Paris, Texas. (Mrs. McWhorter told the doctor to make a thorough examination for trouble of any kind.) He could find nothing, after which he was told of the baby's former illness and he could still find no trouble.

"On November 11, 1949 Judy and her mother appeared before a group of physicians and surgeons especially interested in cancer who met at the Blackstone Hotel in Fort Worth, Texas. While before this group, more than one doctor examined Judy and nothing was found wrong with her.

"Mrs. McWhorter states that a more surprised group of doctors would be hard to find, when they first saw a rosy healthy child rolled out before them after having read a clinical summary of her case.

"An account of the meeting with a picture of Judy and her mother was published in the Fort Worth *Star-Telegram*. The piece was headed: *'Doctors Convinced That Little Judy Overcame Cancer Ailment Herself.'*

"This, in spite of the fact that all concerned knew the Dr. Koch Treatment had been given and that we gave it full credit for bringing about the baby's recovery. The only excuse we can offer for this is that undue excitement might have been raised by a publication of the true facts.

"On February 18, 1950 both parents and Judy attended a meeting of physicians and others at Tampa, Florida. Here Judy was again shown to a group of doctors. These were most friendly to the Koch treatment.

"Judy is now past two year old. She has shown a normal growth and development, normal mental development and absolutely no abnormalities that we are aware of. She is a very active, mischievous and friendly. She has had practically no illness after taking the Dr. Koch treatment and recovering from cancer.

"Witness our signatures.

Mr. O. McWhorter Jr., Father
Mrs. Otis McWhorter Jr., Mother

"State of Texas . . . County of Park . . . Sworn and subscribes to before me this 28th day of June, 1950.

Jim Bob Nation
Parker County, Texas
Notary"