

Joseph C. Keating, Jr., Ph.D.
1350 W. Lambert Road #110
La Habra CA 90631 USA
(562) 690-6499

filename: England Trial 98/04/11
word count: 1,734
E-mail: JCKeating@aol.com

Chronology of THE JERRY ENGLAND CASE

1963 (Apr): **JCaCA** [19(10)] reports:

-“Dr. John Thie Re-elected So. Calif. NCA Delegate” (p. 5):

-“Andrew J. Sordoni Dies” (p. 5):

-“Message from J. Minos Simon, Attorney in Louisiana England case” (p. 5):

Lafayette, La. (NCA-CAN) - To: All Plaintiffs

We have received notice from the United States Supreme Court Clerk that the Supreme Court has noted probable jurisdiction in connection with the appeal of the England case. This is the good news we have been awaiting for almost two years.

Now, then, we can look forward to receiving notice from the Clerk of the Supreme Court advising us of the date on which the United States Supreme Court will hear oral arguments from the lawyers in our case.

PHOTOGRAPH



1993 (Feb 25): letter from Robert B. Jackson DC to J. Keating (in my Jackson correspondence file):

Dear Joe:

Your call last PM was definitely ESP, else why would I all of a sudden go looking for the five pages from the University of Oklahoma Law Library on the England case? I thought I had copies these pages and sent to you at PSC-W? Looking at my notes on that project, I find there are over 450 pages/.15 per pg., plus a \$5.00 search fee for the case, which would bring the project up to about \$67.50+, plus postage to me, to you for the entire trial transcript.

My dear old friend Dr. Paul J. Adams, 114 Sunny Lane, Lafayette, LA (318) 984-5165 was President of the State Assn. for many years down there. The Louisiana Chiropractic struggle is quite some story, waiting to be retold to today's DC's. (May 1924-June 1974). Dr. Paul has been on the scene since the 1940's to date. In 1974 there were only 160 DC's in State; over 100 had been arrested, over 25 jailed for Px. Med. w/o a Lic. Even 2 were jailed for over a month after the Law, for arrests prior to the Law. Dr. Joe Sabatiet from LA, a member of AMA's Com. on Quackery saw to it that the screws were really put on and held, to prevent the DC's from having their Law.

At the trial, Dr. J.J. was raked over the coals so badly by the Med. attorney's over the issue that no DC college had any accreditation status with USOE or any Regional Accred. agencies, that our education was therefore in fact inferior to Medical schools and that we were all a bunch of uneducated so-and-so's. J.J. was so stimulated by his handling, he became the driving force, along with Geo. Haynes of LACC, to get an Accred. Agency for the Prof., and we know what happened. J.J. then went for Reg. Accred. and I believe was first to receive this type of status. We in leadership in 1975 when CCE was approved by the USOE, the divisiveness over DC philosophy would crumble and that research would flourish to up-grade the Prof. within the eyes of the other members of the Health Care Community. We were wrong, some of saw that the old ICA schools and allegiances were still being held on to, that our position within the health community was a sham, and we thought no one else knew it. WRONG! I think we are being discovered and it is going to be used against us, bad! We could lose out in Medicare and thus any new health care system that may arise.

We are not doing enough basic research to validate that which we do in all facets of our clinical approach.

I preached in 1951-52, than now (then) was the time for us to get into meaningful research to validate our position. From the audience came remarks like - "We can't do that, what if we find our premise is not correct, No, we can not take that chance." I came back and said, "Well, then we modify our Premise to fit the scientific evidence!" Everybody cringed, and we stayed status quo. I'd rather stand on the basis of some scientific validity, than none at all. That goes for all the modalities we use, both in physical medicine and nutrition, or what ever. Problem is, as a Prof. we have become as 'fat-cats' from all that has been given to us by our Legislative successes, that we don't want to be bothered to fight for a correct position. My fear is, the shoe will drop and funding will only go to those in clinical medicine who have validated their therapies, because the Gov./Ins. Co.'s will not pay for un-sound therapies, as they are too costly. That would really give our group the wake-up call they need! But then to try and get back into the family of legit health care, would be very long and laborious in each State Legislature and the Gov., WOW!! We'd better clean up our act, now - than have someone else do it for us, we would not like that! Down Robert, down boy.

Item 2 that we talked about, - our Disassociation from the Mono-Causal-Treatment Concepts in the Disease Processes.

I've enclosed 3 pages from my 1990 ACA Membership Directory, D-1 ACA Policies of Public Health etc., D-3 hi-lited area. Let me give you a little background here. As you see on D-3 ACA Disassociated itself from Cultism in 1965. Problem, ACA never sent this to AMA to inform them of our position, ICA would never make such a statement, so our House was divided again, still.

I was elected to the ACA Board of Governors in June 1972, was Chairman 1973-74. In 1974-74 Dr. Bill Bromley of N.J. was elected President, Dr. Bill Dallas Vice-Pres. and I became the third member of ACA's Executive Committee. The three of us attended the NINDS Workshop on the - Research Status of Spinal Manipulative Therapy, at Bethesda, MD, Feb. 2-4, 1975. I don't recall which evening it was, but all 3 of us were in the Social Bar after the last Session for that day. We came across H. Thomas Ballatine, M.D., an eminent Neurosurgeon in Boston and at Harvard, he had been on the AMA Quackery Committee from its inception, along with Dr. Joe Sebatiet [sic; Sabatier], the third I've forgotten. Any way the three of us engaged Dr. Ballantine in conversation and one thing led to another. We told him of ACA's position against Cultism and he was unaware. He did say, that if we, the ACA could give him, in writing, that we have disassociated from the mono-causal, mono-treatment of disease, the battle between AMA and Chiropractic would be over.

At our Annual June Meeting, I wrote, introduced the Resolution into the House of Delegates, it passed. In the Post-Convention Meeting of the Board, we asked that this passed Resolution be sent to AMA with a cover letter explaining what it means etc. etc. Just before I left ACA Leg. Com. in 1988 after 20 years, I asked if AMA had ever responded back to us, as I went off the Board in June 1979, and had never heard a response? All documents of that era are packed, uncatalogued, so today I can not tell you that AMA was ever appraised of our action. I do recall, ICA would not pass a similar Resolution, so our House was divided still, as it is today, over "B.J.'s Chiro. philosophy' Our friend in Georgia thinks he has been and will be the mouth-piece for such philosophy to his end. He fails to realize what his stubbornness has and will do the the entire House. I'm also enclosing a copy of my Program Feb. 2-4, 1975, with a couple of personal remarks * on the last couple of pages.

Double check the above with Dr. Dallas, he may have more to add.

As you can see with my past education, experiences and leadership positions held in Calif. CCA and ACA, I'm one of those 'diagnostic'

DC's v. 'non-diagnostic' types we used to call 'straight's'. My history writing is also slanted in this direction, hope my bias does not show thru too badly?? Russ I feel is aligned w/the 'straight' or what I call 'non-diagnostic' type of DC, therefore he may wish to edit out some of my remarks? So, I think I'll send to JMPT the paper I'll soon have all the data on, State of Iowa v. D.C. Palmer: Practicing medicine, surgery and obstetrics without a certificate. I plan another on People v. T.F. Ratledge: Practicing medicine without a license, which I may also sent to JMPT.

In the meantime, I have a couple of Family History trips to make, one in May-June, the other Sept-Oct. The later will take me up into Ontario & Quebec where 3 of my 4 grandparents came from, so I will not be at WSCC, sorry.

-Bob



References:

- Adams PJ. Report on the England case. *Journal of the National Chiropractic Association* 1961 (Jan); 31(1): 22
- Adamas PS. United States Court rules in favor of the England case. *California Chiropractic Association Journal* 1964 (Feb); 20(8): 9
- Adams PJ. Trial of the England case. *ACA Journal of Chiropractic* 1965 (May); 2(5): 13, 44
- Adams PJ. United States Supreme Court and the England case decision affirmed? *ACA Journal of Chiropractic* 1970 (Jan); 7(1): 23
- Briefs from the Erbe memo. *California Chiropractic Association Journal* 1968 (Feb); 24(8): 25
- England JR. The England case: a battle for licensure. *Today's Chiropractic* 1995 (Nov/Dec); 24(6): 84-9
- Guice C. Judges hear England case. *California Chiropractic Association Journal* 1965 (June); 21(12): 45
- Harper WD. In tribute to Dr. Joseph J. Janse. *ACA Journal of Chiropractic* 1965 (May); 2(5): 18, 44, 46
- Louisiana asks assistance from DC profession in state practice. *California Chiropractic Association Journal* 1967 (Nov); 24(5): 26
- Message from J. Minos Simon, attorney in Louisiana England case. *California Chiropractic Association Journal* 1963 (Apr); 19(10): 5
- Report on the England case from Louisiana Chiropractic Society. *California Chiropractic Association Journal* 1961 (Dec); 18(6): 8
- Simon JM. What will you do then? *California Chiropractic Association Journal* 1964 (Sept); 21(3): 10-3
- The England case: report for 1964. *ACA Journal of Chiropractic* 1965 (Feb); 2(2): 25, 56
- The Louisiana story: how Louisiana is taking "England Case" defeat. *California Chiropractic Association Journal* 1966 (Feb); 22(8): 35-6