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THE COURT: Thank you, Mr. Coffey.

At this time, ladies and gentlemen, because of the press of other business, you will be allowed a short recess, about a 15-minute recess.

(Brief recess.)

(The following proceedings were had in open court, in the presence and hearing of the jury:)

THE COURT: Please be seated, ladies and gentlemen.

Are you prepared to make your final arguments, Mr. Wildman?

MR. WILDMAN: Yes, I am, your Honor.

THE COURT: Very well.

MR. WILDMAN: Thank you.

CLOSING ARGUMENT ON BEHALF OF THE DEFENDANT AMERICAN MEDICAL ASSOCIATION

MR. WILDMAN: Ladies and gentlemen of the jury, there's some good news. I am the last one. And I think this is the time I'd like to take just a very few minutes of my time for some acknowledgements. I don't know, this is a very unique trial. This is a very unusual circumstance as lawyers know it, and I think -- I just want to share with you some things that have transpired along the way that you perhaps are aware of, or at least you

2  
1 should know.

2 All too often we are prone to castigate our  
3 public officials and to take them to task. We show little  
4 or no appreciation and anything that goes wrong, we find  
5 fault and we seldom find anything they do right. This  
6 gentleman sitting up here has worked harder than any lawyer  
7 in this cause. \* \* \*

8 THE COURT: You better sav something nice  
9 about the jury. They're going to be deciding it.

10 MR. WILDMAN: Your Honor, I would remind you  
11 that this case involves free speech and you are going to  
12 give an instruction on it and I have a right to make these  
13 remarks.

14 (Laughter.)

15 MR. WILDMAN: These are things that need to be  
16 said. I don't know whether you know it; you come in at  
17 9:00 o'clock, he comes at 6:30, 7:00 o'clock. He handles  
18 other calls. He just disposed of one while you were on a  
19 recess. He takes papers home bundled at night that we  
20 lawyers are supposed to prepare, and he goes and spends  
21 five or six hours reading evidence and instructions so that  
22 this thing can move rapidly and take as little of your time  
23 as possible.

24 Well, I'm sure you've observed the fairness and  
25 the impartiality and the good humor with which he's treated

1 all of us.

2 Then there's Ms. D'Andrea, who keeps things  
3 going and she too does her -- She keeps him going  
4 because she has all these papers and these motions that  
5 keep this judicial system operating. And Jules. And who  
6 can ever forget dear lovable Agnes, who fell over. This  
7 kind of devotion. And then of course we are grateful to  
8 you. You've taken time out from your life. You've sacri-  
9 ficed things. You've sacrificed your time. I'm sure  
10 there's been a financial sacrifice as well. You didn't  
11 expect to be here that long. I hope you won't hold it  
12 against us; we didn't put every piece of evidence that  
13 we could conceivably dredge up in. It's what makes our  
14 system work, and I'm very proud to be a part of it.

15 The plaintiffs have been represented very  
16 ably by George and his lawyers and his staff have done an  
17 able job, and they are very professional. And I have  
18 been privileged to be associated with one of the finest  
19 group of lawyers who represent different defendants. But  
20 I'm sure one thing has certainly stood out in your mind.  
21 If there has been an allegation in this case that the AMA  
22 controlled various medical societies, it must be very  
23 apparent to you that I sure as hell don't control the  
24 lawyers.

25 (Laughter.)

1 MR. WILDMAN: George told you at the beginning  
2 that -- and I think his Honor will tell you -- that this  
3 case should be based upon the facts and your decision,  
4 there shouldn't be any appeal to bias or prejudice. That  
5 has no place in a courtroom. And I would invite him with  
6 me in eliminating words such as "billions of dollars."  
7 Those are sort of supposed to be emotionally packed words  
8 that are supposed to get you mad at the defendants.  
9 That has no place here.

10 And when he talks about "these" organizations  
11 in that tone of voice and so forth, he's -- it suggests  
12 subtly that maybe there's something wrong with "these"  
13 organizations, that "these" organizations have imposed  
14 their will upon other people. I would remind you that  
15 organizations are nothing but people. There is no such  
16 thing as some kind of an inherent or innate being some-  
17 where that's separate, apart from people. Organizations  
18 are people. And people are organizations. And as Dr.  
19 Annis told you, the AMA is an organization that starts  
20 with the county society, the county society in each state.  
21 And they in turn elect their delegates to the House of  
22 Delegates of the AMA and they in turn elect the trustees  
23 and the officers and the fountain of power, just as in  
24 our country, starts with the citizen and with the lowest  
25 part of government. And that's how it works here and

1 that's how it should work.

2 We're accused of trying to contain and  
3 eliminate, as they use these words, the profession of chiro-  
4 practic. Let's go back for a few moments and review what  
5 the circumstances were.

6 The AMA -- at one time you heard these  
7 words, "physicians as conservators of the public health  
8 are bound to bear emphatic testimony against quackery in  
9 all its forms, whether it appears with its usual effrontry  
10 or masks itself under the garb of philanthropy and some-  
11 times of religion itself." Those were the words that were  
12 first spoken in 1847 when the AMA was founded. It was the  
13 primary purpose for the organization of the AMA.

14 And Dr. Annis, my good client, sits there  
15 and he said those same words at the Second National Con-  
16 gress on Quackery.

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1 and this is what he, a lawyer -- not in AMA headquarters  
2 but out in the local state society -- is saying:

3 "Osteopathic developments. The fact  
4 that osteopaths, osteopathy, is abandoning its  
5 cultism is a most encouraging sign. As long  
6 as osteopathy and chiropractic both claimed that  
7 manipulation and adjustment had special thera-  
8 peutic and remedial qualities, the uninformed  
9 public might very well be led to conclude that  
10 doctors of medicine resisted this type of cultism  
11 for selfish or prideful reasons.

12 However, the capitulation of osteopaths  
13 on this specific point is the most persuasive  
14 proof possible that medicine has been right in  
15 its stand on cultism and should be an important  
16 factor in persuading the public that chiroprac-  
17 tic is wrong."

18 Now what he's saying, and you have to bear  
19 in mind what was happening at that time, at one time the  
20 osteopaths had a similar position as chiropractors. They  
21 didn't accept a scientific foundation. They didn't accept  
22 the fact that there were other causes of diseases. They  
23 didn't accept these things. And when they -- once they  
24 abandoned their dogma which lacked a scientific founda-  
25 tion and accepted the medical approach, they were accepted

8 1 as medical practitioners.

2 And then he goes on, and Mr. Throckmorton  
3 said, and that's what he's hoping that chiropractic will  
4 do. And then he goes on, and he says: "Although it would  
5 be emotionally satisfying to recommend a bold course of  
6 action whereby chiropractic would be eliminated," not through  
7 improper methods, not through a conspiracy as is charged  
8 here, but as he says, "through legislative action which is  
9 proper, this is not a practical solution to the problem  
10 at this time. A more feasible solution and one that is  
11 indicated as being well within the public interest is to  
12 contain chiropractic within its present narrow and limited  
13 scope."

14 Now who can disagree with that? Well, I'll  
15 tell you who for one did agree, and that was Dr. Rutherford,  
16 who was the president of the International Chiropractic  
17 Association and who you will recall said, among other  
18 things, that he worked with the AMA closely, in Oregon,  
19 as he says, "when some of these fellows were running wild  
20 doing abortions and we worked together very closely with  
21 some of our good friends in the medical association up in  
22 Salem to help clean this up." He's talking about the medi-  
23 cal doctors because chiropractors were performing abor-  
24 tions and doing things they had no business doing.

25 And then he goes and he says:

Wildman - closing

1 "During the time that you were in a leadership  
2 capacity, did the ICA," International Chiropractic  
3 Association,

4 "take legislative action or oppose broadening of chiroprac-  
5 tic licensing in states other than Oregon?"

6 And he says:

7 "Very much so. We had a problem to keep chiro-  
8 practic from going into the broad areas. That's  
9 containment."

10 And then he goes on and he says:

11 "Were these all states, in addition to Oregon,  
12 that the legislative committess of the ICA," International  
13 Chiropractic Association,  
14 "was following?"

15 He says:

16 "Yes. We had a very enthusiastic program.

17 "And this was the program to limit chiropractic  
18 to adjustment of the spine?

19 "Answer: To its own field of practice. To limit,  
20 to confine.

21 "Was it your view and the ICA's view at that time  
22 that chiropractors who wanted to that ought to be, go to  
23 medical school?"

24 "You're asking my view," he says, "and I would  
25 say if they wanted to practice medicine, they should go to

Wildman - closing

1 "a medical school, a recognized medical school, and  
2 go through the proper procedure. They should get a  
3 medical license and practice medicine."

4 And then he goes on to say:

5 "What we were trying to establish was the fact  
6 that chiropractic would stay within its own field, like  
7 dentists stayed within their own profession." And then I

8 And then I asked him:

9 "Has chiropractic strayed -- or stayed within its  
10 own profession?"

11 He says: "Some."

12 He goes on, and you will recall that he said:

13 "If it is insisted and accomplished that" -- this is  
14 the president of the International Chiropractic Association --

15 "If it is insisted and accomplished that the  
16 practice of chiropractic is what the 50 legislative bodies  
17 and 20,000 chiropractors might make of it, then the  
18 question is raised: What is chiropractic?"

19 And Dr. Rutherford's words:

20 "If that premise is accepted, then chiropractic  
21 has no separate philosophy, science and art to make it  
22 distinctive from other methods of healing and it deserves  
23 to be eliminated."

24 His words.

25 Now, what was the situation? Do you think -- and

Wildman - closing

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1 this is one of the things you're going to be called upon --  
 2 let's be very blunt about this. Were there a group of the  
 3 doctors at the AMA headquarters who sought to find out and  
 4 say: "Well, how can we increase more money? How can we take  
 5 this away from the chiropractors? How can we eliminate them?"

6 Or was it another situation where people out in the  
 7 field, the states, in Iowa, Nebraska, Michigan, said: "Why  
 8 aren't we doing something about this menace to

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1 health? Why are you just sitting there? Why aren't you  
2 doing something?" And did the impetus come from the field  
3 and from the public to do something about it?

4 Well, let's look to see what the circum-  
5 stances were at the time. Now I'm not going to report,  
6 because my time is limited and I don't want to trespass  
7 on your time -- I just want to call to your attention some  
8 things that you'll find in the evidence, this coming from  
9 Exhibit 3291, not somebody's views, not the author's views  
10 necessarily, but what was reported and what was done by  
11 so-called disinterested parties.

12 In 1962, in the same year as when Mr. Throck-  
13 morton wrote his memorandum that Mr. Mc Andrews talks  
14 about, in 1962, the FDA, the Federal Drug Administration  
15 won a long court fight against one of the most popular of  
16 all chiropractic devices, the Ellis microdiameter. The  
17 Ellis microdiameter was in the possession of some of these  
18 plaintiffs and had been used by chiropractors. The im-  
19 pressive-looking microdiameter was the centerpiece and the  
20 pride of many a chiropractic office. Chiropractors even  
21 noted in the Yellow Pages and advertised that they offered  
22 this diagnosis. The patient's only function was to com-  
23 plete the circuit, and when the FDA tried it and examined  
24 it, they found that on two cadavers, it proved perfect  
25 health.

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1 (Laughter.)

2 MR. WILDMAN: Exhibit 3291. This is one of the  
3 facts that were known to the AMA. Known to knowledgeable  
4 people elsewhere. Now after the FDA eliminated the micro-  
5 diameter, in 1965, less than two and a half years after  
6 Throckmorton, the AMA -- this is knowledge, unless you  
7 think that the FDA is in a conspiracy -- incidentally,  
8 he says that the HEW's in a conspiracy with us. I suppose  
9 then you have to then believe that the American Cancer  
10 Society is in a conspiracy with us, the National Council  
11 of Senior Citizens, the American Psychiatric Society,  
12 the American Occupational Therapy Association, the National  
13 Council on Alcoholism, the National Association for  
14 Retarded Children, the National Health Council, the AFL-CIO,  
15 Ann Landers, the Department of HEW, the Governor's Health  
16 Planning and Task Force in Wisconsin, the National Advisory  
17 Committee on Health and Manpower, the Task Force on Medicaid  
18 and Related Programs, the American Public Health Consumer  
19 Federation --

20 Oh, brother.

21 But anyhow, in 1965, the FDA again,  
22 following an investigation that they conducted -- not the  
23 AMA now; I'm not talking about us -- they found that  
24 Frederick Sheldon in Minneapolis, a chiropractor, was  
25 using and had a large group of radio class devices.

1 These devices are large consoles whose panels are a veri-  
2 table forest of dials, lights, switches and meters.  
3 They were manufactured and distributed by the L. L. Robey  
4 Manufacturing & Electronic Instrument Company, both of  
5 Tiffin, Ohio. The devices, says, the FDA, was simply  
6 low voltage generators producing a small electric current.  
7 Scientific reports on the machines were distributed through  
8 International Electronics Research Society whose address  
9 was the same as that of the L. L. Robey.

10 Now, what about those devices? The gadgets  
11 were then unloaded on chiropractors and other credulous  
12 fringe practitioners for prices ranging up to \$1200 each.  
13 FDA states that thousands were sold. They visited two  
14 clinics in Kansas, they seized them, they seized another  
15 jimcrack called a visual nerve tracing instrument. They  
16 claimed that this was wrong and they went to court  
17 in the United States District Court in Kansas and they  
18 issued a condemnation decree in 1966. Is it suggested,  
19 Mr. Mc Andrews, that the AMA was a part of that or had  
20 any part of it?

21 Then with respect to the FDA still --  
22 you know, I think there's a lot of honesty. I think  
23 that most people are dedicated. I think that contrary to  
24 what we so often are tempted to say, public officials --  
25 most people are good. Most people want to do the right

Wildman - closing

1 thing. Most people do. And the FDA then got after --  
2 they got on to this business about the mattresses. And  
3 you'll recall here that we had one of the plaintiffs who  
4 was engaged in that sort of a reddencracky thing.

5 And the Federal Trade Commission -- now,  
6 this is not the FDA, this is the Federal Trade Commission,  
7 but another part of the government -- charged that a  
8 mattress manufacturer had made a deal with 12 state chiro-  
9 practic associations and the interstate association of  
10 which the state groups are members, whereby in exchange  
11 for their endorsement and promotion of the firm's mat-  
12 tresses, the chiropractors would get a rake-off on each  
13 one sold.

14 Well, they went to court and they got that  
15 knocked down. And the FTC found that the Posture-Queen  
16 mattresses were no different, they had no therapeutic  
17 or health-giving properties and were not even designed  
18 in accordance with specific engineering standards estab-  
19 lished by a chiropractic association. In fact, the FTC  
20 alleged the standards are non-existent.

21 The case was settled in July, 1967 by a  
22 consent decree, by which the firm agreed to give up  
23 the health claims and drop the deal with the chiropractors.

24 And the FDA, they continued, and then in  
25 February, 1968 they went to court again with respect to

1 the chiroscope electronic detector. They said, the leg  
2 said -- the FDA said adequate directions could not be written  
3 since the device was worthless for its intended purpose.  
4 And a default decree was issued by the Federal Court and the  
5 contraption was turned over to the FDA.

6 Now, these are the things that were taking  
7 place in the early to mid-'60s at or about the time that  
8 Dr. Anderson and the other doctors felt there was needed  
9 a committee on chiropractic or needed a committee on  
10 quackery.

11 Now, you know, the plaintiffs don't like  
12 the -- they don't like us to use this word "cultism" or  
13 "quackery" because they think it has some kind of a bad  
14 connotation. The fact of the matter is, of course, as you  
15 and I both know from Webster -- now let's look at these  
16 two things and find out.

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Wildman - closing

1 Cultism, they complain of that, quote --  
 2 and I'm quoting from Webster's 3rd International Dictionary --  
 3 and incidentally, this happens to be a photostat -- we even  
 4 borrowed the one in your clerk's office, your Honor --

5 "A system for the cure of disease based  
 6 on the dogma, tenets or principles set forth by  
 7 its promulgator to the exclusion of scientific  
 8 experience or demonstration,"  
 9 one cause, one cure.

10 Now, the plaintiffs say, "Well, we don't do that  
 11 any more. We don't believe that. You're just dredging this  
 12 up." But you see, what we're confronted here with, they  
 13 said we started this conspiracy, we started this in 1965.  
 14 So we have to look at '65. They said they don't do it now.  
 15 But they did do it then.

16 I'll tell you something. They even do it now.  
 17 They still believe the same thing. And if they said that  
 18 isn't their dogma -- let me read for you from Dr. W. L.  
 19 Rutherford, International Chiropractic Board of Control.  
 20 Past president, you'll recall.

21 "The philosophy of chiropractic is based  
 22 on the premise that disease or abnormal function  
 23 is caused by interference with nerve transmission  
 24 and expression due to pressure, strain or tension  
 25 on the spinal cord or spinal nerves."

One cause, one cure. Now, if that isn't plain enough,

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1 and if there is some doubt about, some ambiguity in that,  
2 then let me read you from Defendants' Exhibit 220-A in  
3 evidence; this is the England case, a case in the United States  
4 District Court in New Orleans. The United States Court,  
5 not a Louisiana Court. And this is what the Court found.  
6 We're not in this -- this was a case brought by some  
7 chiropractors against the Louisiana State Board of Medi-  
8 cal Examiners, which they incidentally lost. But we're  
9 not interested in that. We're interested in what the  
10 Court found after hearing all the evidence. And this is  
11 what the Court said:

12 "It is chiropractic doctrine that most,  
13 if not all, human ailments result from a slight  
14 misalignment or subluxation of contiguous vertebra."

15 Isn't that one cause? And then they go  
16 on to say that the realignment of these subluxated ver-  
17 tebra through manipulation of the spine by the chiroprac-  
18 tor removes the impingement and restores the nerve function  
19 to the diseased parts of the body. Now isn't that cure?  
20 One cure, one cause? That isn't the AMA. That isn't me.  
21 That's the United States District Court.

22 Now so much with respect to the definition  
23 of cultism. Now they complain about the definition of  
24 quackery and they say that we called this committee the  
25 committee on quackery. And they say that it was primarily

1 directed against chiropractors. Well, ladies and gentlemen,  
2 I won't have the time and I won't go through it, but just  
3 glance at some of these exhibits. "Your Money or Your Life-  
4 an FDA Catalogue of Fakes and Swindles in the Health Field."  
5 And incidentally, here's a picture of this microdiameter that's  
6 used by chiropractors or was until the FDA put them out of  
7 business.

8 And take a look at those when you go into  
9 the jury room. And here, they say the AMA is only concerned  
10 about chiropractors because we want to get their income.  
11 That's why these doctors are money-grubbing around  
12 to get somebody else's money. They have no concern for  
13 the public.

14 What about "Health Quackery-Arthritis?" What about  
15 "Health Quackery-Cancer"? What about "Health Quackery-  
16 Devices"? "Did you Know That -- and Other Quackery Things,"  
17 nothing to do with chiropractic. "Health Quackery-Chiropractic,  
18 there is one. "Mechanical Quackery." "What You Should  
19 Know: Facts and Quacks." "What You Should Know About Health  
20 Quackery."

21 And I'm sure you've heard the evidence and you know  
22 that time and again we have introduced evidence showing you  
23 things.

24 Now, what is quackery? Well, if I gave you a  
25 definition out of Webster or if I gave you a definition  
from the AMA, you'd say: "Well, that's tainted," Mr. McAndrews

1           would say. Let me give you a definition from the  
2 chiropractors, the International Chiro -- this is the  
3 International Chiropractic Association Review. And  
4 you'll have to read the whole thing. But it's Defen-  
5 dants' Exhibit AMA 1133. This is their definition:

6                         "A quack, according to Webster, is a  
7 boastful pretender to medical skill. Hence, a  
8 charlatan."

9           Well, what's so bad about it? I'll tell  
10 you what's bad about it. You know, there's nothing very  
11 esoteric about law. These instructions that his Honor  
12 is going to give you are going to make sense to you be-  
13 cause they have to in the law; they're rules, how we  
14 govern our conduct with one another. And they must  
15 make sense or there's no reason for your sacrificing  
16 your time and the Court making its sacrifice and people  
17 going to great lengths to present this evidence. It has  
18 to make sense.

19                         What's then wrong with quackery? It's  
20 simply this: If there was ever a time in our life when  
21 we are dependent upon other people, and you and I are  
22 dependent upon one another in all of our relationships,  
23 some to a greater extent than others. Dependence is the  
24 strongest bond in society. It's the thing that  
25 binds together. It's a good thing.

1                   But there comes a time when we're ill,  
2 when we're sick, when we're desparate, when we are at  
3 our wits' end. And if there was ever a time when we  
4 should not take advantage of someone, it's then. You  
5 know, if I engage in a little commercial intercourse with  
6 you and I want to buy or sell a TV set or an automobile,  
7 and I get the better of you or you get the better of me  
8 in the bargain, it's dollars. And there is a court of  
9 law and there is a way to redress that.

10                   But if I am desperately ill, and I'm con-  
11 cerned, and I come to you, and you're a medical doctor or  
12 a provider of health care, and you mislead me and you  
13 deceive me, that is the worst sin of all. That's quackery.  
14 A boastful pretender -- boastful, meaning if I were to  
15 tell you, I can cure you, give me your money, spend your  
16 time with me, do what I tell you, I'll take care of you,  
17 that's wrong. That's wrong for a medical doctor, it's  
18 wrong for anyone. All he is -- he obviously should offer  
19 compassion, he should offer encouragement, he should do  
20 everything in his power, but he certainly shouldn't boast-  
21 fully mislead you.

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1           That's what the chiropractors say is quackery.  
2 Why shouldn't you call this committee a committee on qua-  
3 ckery? Then you know, they go on to say-- and Mr. Mc  
4 Andrews doesn't read this to you, but I wonder, what does  
5 this mean to you? I'm quoting now from their Journal:

6           "The quackery complained of by the  
7           AMA counsel"--  
8 "counsel" meaning the lawyer --

9           "is an effort on the part of otherwise legitimate  
10 doctors to be something they are not. Not satisfied  
11 with chiropractic, they exceed their field of training  
12 and usuro medical practitioners and medics. This  
13 is illegal under the statutes and is therefore  
14 quackery per se. We cannot criticize AMA counsel  
15 for these stinging remarks unless they are false.  
16 If such quackery exists in the chiropractic profes-  
17 sion, it constitutes an Achilles heel and renders  
18 the profession vulnerable to attack by all legiti-  
19 mate authorities."

20           Now that we know what quackery is, let's see --  
21 let's see if they're engaged in quackery. I would invite  
22 your attention to Defendants' Exhibit 2003 in evidence,  
23 which was sent to Dr. David Stevens. You'll recall he  
24 was here and testified. He was the first chairman of  
25 the Committee on Quackery. This was at the time that

1 Mr. Mc Andrews says that these doctors are getting to-  
2 gether to try to gather in all these millions and billions  
3 of dollars that the chiropractors were making and take  
4 it away from them.

5 And Dr. Stevens got this on or about the  
6 date it bears which happens to be 1969, the postmark,  
7 and a friend, Fred Scott, sent it to him; you'll see  
8 the note. And here's what it says. It has a familiar  
9 Parker Chiropractic Research chart. Then on the back  
10 it says, in big letters; this is obviously sent out to  
11 people:

12 "Chiropractic is the only science" --  
13 the only -- "which restores and increases the flow of the  
14 life spirit in the human body." Is that a boastful pre-  
15 tense? "Chiropractic is the only one of the healing arts  
16 which depends wholly on God's power to heal the body."  
17 That's quackery.

18 I don't think God has any particular interest  
19 in this lawsuit. I don't think He's on the side of the  
20 chiropractors or the medical doctors or anybody else.  
21 We ought to try to get on His side, and to say that only  
22 God only helps the chiropractors is quackery under their  
23 very own definition.

24 Other examples: Defendants' Exhibit 2006-H.  
25 This is in evidence, ladies and gentlemen. Now I have

1 taken -- see, because Mr. Mc Andrews will accuse me of  
2 taking things from the AMA, I have left everything from  
3 the AMA apart. You have heard it, you know it. I'm  
4 just taking what other people say. I have taken the de-  
5 finition of quackery from the chiropractors, from their inter-  
6 national association. Now I'm going to read you from  
7 this chiropractic publication, which says:

8 "Rigor mortis, rigor mortis"-- we all know  
9 what that is -- "is absolutely the only condition that  
10 can't be corrected by chiropractic."

11 Now if you are a fair judge, tell me:  
12 Is that according to their definition a boastful pretender  
13 to medical skill? Rigor mortis, death, stiff, is abso-  
14 lutely the only condition that can't be corrected by  
15 chiropractic. That's sinful in my book, to tell someone  
16 that.

17 And then, you know, we fought a long time  
18 to make progress in this world, and not everything that  
19 doctors have done has been right; not everything every  
20 organization has done has been right; but on balance, if  
21 they have had the right incentives and they've been  
22 headed in the right direction, people are deserving of  
23 credit. We have fought -- medical doctors and scientists  
24 have fought for years and year. You people recall --  
25 not in your lifetime -- but do you know what a scourge

1 smallpox was? You know from our history books and so  
 2 forth. Listen to this: "Vaccinations kill. And here is  
 3 the proof: Smallpox vaccine is manufactured in this way:  
 4 The belly of a calf is shaved. Then it is scratched  
 5 and smallpox pus is rubbed into the bleeding wounds. In  
 6 a short time the calf's belly skin is covered with fear-  
 7 ful nauseating scabs from under which a yellow bloody  
 8 pus exudes."These are words, see, which are calculated  
 9 to get you mad. I mean by that, when they write --

10 "All this dirty, filthy, nauseating pus  
 11 mess is then scraped off and mixed up in a glycerine  
 12 base and this is the disease-spreading poison that health  
 13 boards, school boards and family physicians insist upon  
 14 injecting directly into the blood of millions of children.

15 "We are obligated to God, to our families  
 16 and our children, to take care of the life, body, mind  
 17 and that is God-given and birthright; don't permit your  
 18 children to be injected . It can and do cause disease.  
 19 The vaccine itself causes disease. If you prefer to live  
 20 in the dark and use vaccinations, to each his own."

21 Is that progress, ladies and gentlemen?  
 22 Is that quackery? You know, there's some feeling among  
 23 these lawyers as we prepared this case and as we went  
 24 along that maybe we shouldn't, we should just deny there  
 25 was a -- we shouldn't call a spade by its -- I don't

1 know why we can't face issues head-on. There is no doubt  
2 in my mind that if a differential diagnosis were made and  
3 in my opinion -- you know, you might not agree -- but if  
4 a differential diagnosis by a competent medical doctor  
5 is made, and he concludes from that that some sort of  
6 manual adjustment or manipulation or massage of a particu-  
7 lar small muscular section of the body, and that nothing  
8 else is seriously wrong, that might be helpful. It  
9 might give you some comfort. It might give me some com-  
10 fort. And if we did that, and if we confined it within  
11 those narrow lines, there may be nothing wrong with chiro-  
12 practic.

13 If it is confined to that. But when they  
14 tell us that they can cure all things and that only God  
15 is on their side, and they can cure everything but rigor  
16 mortis, then that should be eliminated as a health hazard.

17 Well, those are those definitions -- oh,  
18 I have one other one here that I pulled out. 2006-I.  
19 Tell me, this is Defendants' Exhibit -- tell me if this  
20 sounds to you whether or not it fits into the definition  
21 of quackery as the International Chiropractic Association  
22 would define it:

23 "Chiropractic is the only science which  
24 restores and increases the flow of life spirit in the  
25 human body. Chiropractic is the only one of the healing

1 arts which depends wholly on God's power to heal the body."  
2 Is that quackery? Is that according to their definition  
3 a boastful pretender to medical skill?

4 Then you know -- Oh, I asked, incidentally,  
5 Dr. Pedigo was here. This is the man, you will recall,  
6 that had 10,000 visits a year, complains he's not doing  
7 so well. And incidentally, while we're on the subject  
8 of damages, this isn't just a lawsuit, you know, for  
9 \$8,000 for this doctor and \$42,000 for that one and those  
10 numbers they put on the chart. Oh, no. It has far larger  
11 implications. That large crowd that you see right there  
12 awaiting your results is not dedicated to that. That's a  
13 question of whether or not they're going to operate the  
14 hospitals, whether they are going to take the x-rays, but  
15 more about that later on. It has very deep significance.  
16 It's not the 8,000 or the 42,000. With his Cadillac and  
17 Alfa Romeo and his large home and everything else, Dr.  
18 Pedigo's doing pretty well. As the <sup>Facts</sup> ~~fact~~ study shows,  
19 which you want to remember his Honor inquired about,  
20 they're getting at least 2 1/2 to 3 per cent referrals  
21 and they think they should have 4 and as the study  
22 showed chiropractic is alive and flourishing. But this  
23 is Dr. Pedigo, the chiropractor -- and this is what is  
24 in his office. You'll have that exhibit. This is  
25 what he gives his patients. "The chiropractor is the

Wildman - closing

27  
1 "only person of the healing profession who is able  
2 to systematically locate and reduce pressure on the  
3 spinal nerves. He or she is therefore truly a provider  
4 of health care.

5 "Remember, the chiropractic approach to health  
6 is different. The chiropractor does not fight the  
7 thousands of named diseases (darkness). Instead" --  
8 I don't know what "darkness" means. I guess the medical  
9 profession are coming out of the Dark Ages.

10 "Instead, he or she removes any block to the flow  
11 of vital nerve force from the brain through the spinal  
12 nerves so that the natural innate wisdom which he knows  
13 how may be able to coordinate and balance all the function  
14 of the body. As control is restored, health will grow  
15 and disease will fade away. Chiropractic is the  
16 successful road from sickness back to vibrant health.  
17 Try chiropractic. It will make you a happier, healthier  
18 and more human being."  
19  
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25

1           You know, ladies and gentlemen, that sort  
2 of drivel is an insult to anybody with any intelligence.  
3 I think they assume that they're dealing with people that  
4 just have no common sense whatsoever. Is that quackery?

5           And then you know, we get one man -- you  
6 remember Dr. -- one of the other <sup>plaintiffs</sup> ~~patients~~, Dr. Bryden.  
7 My dear friend, Dr. Bryden. Incidentally, the England  
8 decision that I read to you about the definition of chiro-  
9 practic: Look at it when you go in there. That Court  
10 cites this textbook as being one cause/one cure. This  
11 was Dr. Bryden's book. And it's the book that he himself  
12 says that he studied and the only one that he bought.  
13 The only one he bought in four years when he went to school.  
14 It's a strange school where you only have to buy one book. ←

15           But Dr. Bryden, you'll recall, says that  
16 he treats hemorrhoids.

17           I said, how do you treat hemorrhoids?

18           Well, I adjust the 1st cervical. Then he  
19 identified the 1st cervical as the atlas. And that's how  
20 he treats hemorrhoids. Now, then we get the Parker chart,  
21 AAOS Exhibit 1346, and it shows that the proper treatment  
22 of hemorrhoids is to adjust the coccyx, which is the tail-  
23 bone down here.

24           Now, I just, for the life of me, I'd like  
25 for Mr. Mc Andrews to explain to you how the difference

Wildman - closing

1 between adjusting the atlas, which is the 1st cervical,  
2 and adjusting the coccyx to handle hemorrhoids. Or you can  
3 if you like, and which I prefer, accept Dr. Annis' testi-  
4 mony, that there's absolutely no connection between  
5 the nervous system and the spine and hemorrhoids.

6 And then of course you heard the  
7 other testimony about how they adjust these various cer-  
8 vical things for earache, fainting spells, crossed eyes,  
9 deafness, so on and so forth. All of which are controlled  
10 by cranial nerves entirely within the skull.

11 This case started in 1974. It's part of a  
12 continuing fight that the chiropractors have waged for  
13 ever-increasing responsibilities and ever-increasing and limit-  
14 less privileges in hospitals and in the health care field  
15 without necessary qualification. They seek to expand their  
16 legislation, which is going on, as you know, everywhere,  
17 according to the evidence. There's been a continuous  
18 legislative fight.

19 They would like to have privileges to operate,  
20 to go into the hospital, do all of these things. And it  
21 isn't just five plaintiffs. You know, these -- did you  
22 wonder why there were five different plaintiffs from five  
23 different states? And you recall how they got together,  
24 Dr. Pedigo testified, in 1974 and started collecting the  
25 funds to start this lawsuit in California. And isn't it

1 strange that then the letters went out to the hospitals all  
2 about the same time, written in about the same vein, asking  
3 for hospital privileges? Did they really want hospital  
4 privileges or were they trying to set us up? Were they  
5 really concerned about patient care? Were they really  
6 concerned about it, or were they trying to set us up?

7 No, it isn't just five people. These, ladies  
8 and gentlemen, are the creme de creme of the chiropractic  
9 field. These are the finest. And when you're thinking  
10 about, when you judge the credibility of these witnesses,  
11 and his Honor will instruct you it is for you to decide  
12 the credibility of the witnesses, you saw these medical  
13 doctors on the stand. You saw the chiropractors. You de-  
14 cide wherein lies the the credibility, wherein lies the  
15 truth. Because when a man says, I did this for the good  
16 of science and for the good of public health and the  
17 other person says no, you did it for greed, you have a  
18 right to decide which one is more likely telling the truth.

19 And the business about Dr. Arthur, misstating  
20 whether or not she has a bachelor's degree, lying as she  
21 did, doing things like that. They -- her acts, in and of  
22 themselves, are not all that important. Except that some-  
23 how, somewhere, there must be a residue of some people  
24 that believe there's still some room for integrity in  
25 this world. That you have a right to expect from your

1 doctor, whatever he may be, medical doctor or chiropractor  
2 or whoever it is, that he's going to stick pretty close  
3 to the truth.

4 Oh, they complain about our ethics. I  
5 suppose -- is it wrong to have an ethic? There are ten  
6 of them. The one they complain about is that you shall  
7 not associate yourself with anyone else in the care of  
8 a patient who affords treatment or any kind of care on  
9 an unscientific basis.

10 Now, will you please tell me what's wrong  
11 with that? Can you really believe -- do you really think --  
12 you see, I'll tell you. You see, they want to associate  
13 themselves with medical doctors so they can bootstrap  
14 themselves into the public awareness that they are some-  
15 how the same as medical doctors. They don't want to spend  
16 14 long years in training.

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1           And then they say, and Mr. Mc Andrews says,  
2 well, you never looked into chiropractors. You don't even  
3 know what it is. Nobody ever went to our schools. Nobody  
4 ever had anything to do with it. Well, let me read --  
5 you'll have Defendants' Exhibit 2005-DD. This is the  
6 report on requirements for admission to schools of chiro-  
7 practic that was conducted in 1965 at or about this time  
8 that it was being suggested that we do something about  
9 chiropractic. And this you'll have -- I won't have time  
10 to go through it with you, but it deals with requirements  
11 for admission to schools of chiropractic. And they set  
12 up, they sent out some letters. They made them up. And  
13 they said for example, in one application that a letter  
14 of inquiry was sent to a midwestern school supposedly by  
15 a single girl 32 years old who claimed she'd been operating  
16 a massage parlor in Chicago for five years. The letter  
17 mentioned that the writer had only finished the 8th grade  
18 or of grammar school. She expressed a desire to engage  
19 in a more respectable occupation. She was accepted.

20           And then a letter of inquiry from a person  
21 who claimed that he didn't want to go to Illinois, Loyola,  
22 De Paul and all of the other colleges around here. Others  
23 flunked out or wound up doing something that didn't have  
24 no future. He wanted to make a lot of money and still  
25 not have to go to school all your life like some doctors.

1 He too was accepted.

2 And all the others here -- a recently dis-  
3 charged-- midwestern school from a recently discharged ser-  
4 viceman who served as a medic in the Army Medical Corps.  
5 He had no high school education, received a general dis-  
6 charge. He says, I want to go to medical school because  
7 some of these medical doctors are real butchers anyhow.  
8 They accepted him.

9 Why is this important? it's only important  
10 in this: You and I have a vested stake in the progress  
11 of medicine and science. You and I have a vested stake in  
12 the type of people that are educated. In some sense,  
13 you know, we might think, that's really not being fair,  
14 we maybe should let more people into medical school. But  
15 the thought has been from the beginning, the AMA even  
16 tried to stomp out its own quacks in 1847 and they con-  
17 stantly upgraded the requirements; the thought being  
18 that the better students that you can get, the more  
19 they'll work, the chances are -- not necessarily always  
20 true -- but the chances are the better they'll come out  
21 as doctors.

22 Is that for our protection. Is it for  
23 the general advancement of the public? And then they say:  
24 Well, you know, you didn't know anything about medical  
25 schools. They neglected to tell you, to call your atten-

Wildman - closing

34 1 tion to Plaintiffs' Exhibit 725 in evidence, August 22nd,  
2 1963, shortly after Mr. Throckmorton's letter; and this  
3 was Youngerman's trip to the Palmer School. And he tells  
4 you about his conversation with Palmer students. And he  
5 says, after visiting with the -- he tells you exactly  
6 what he did. 15 percent of the Palmer graduates actually  
7 make it as a practicing chiropractor. And the students  
8 admitted that they are brainwashed, and the mixers and so  
9 on and so forth.

10 ~~In response to my question concerning the morality~~  
11 ~~of some of the female students and so forth, Dr. Andrews,~~  
12 ~~he said that J.B. was a radical, student feels his last~~  
13 ~~semester -- explaining chiropractic very erratic.~~

14 Then he goes on and says:

15 "He informed me that chiropractic had extremely  
16 good results with such diseases as diphtheria, polio,  
17 measles, chicken pox, early cancer, double vision,  
18 epilepsy, whooping cough, and diabetes. And he said  
19 that in cases of diabetes you don't take the patient off  
20 of insulin entirely, but merely decrease the dosage  
21 as time goes on," and so on and so forth.

22 "He admitted that cheating exists and is fairly  
23 open. It is easy to get through school. He said that the  
24 policy at Palmer is to allow a student who flunks an  
25 examination to take the examination over three times at  
five dollars a crack."

1 Well, this goes on and on and on and on  
2 about what Mr. Youngerman found out about two days spent at  
3 the Palmer College. But that's the AMA. So let's dis-  
4 regard that for a moment. What have others done about it?  
5 At or about the time that the AMA was looking into this  
6 thing and thinking that maybe something ought to be done.

7 The governor of Wisconsin - and incidentally,  
8 the governor of Michigan also conducted this study. Then  
9 there was the Stanford report out in California. But  
10 let's take the one in Madison, Wisconsin. They say that  
11 nobody did anything to find out what chiropractic is or  
12 what they do. Now this is, by Mr. Mc Andrews' own acknow-  
13 ledgement, conducted by one of the fairest committees and  
14 some of the most intelligent people in Wisconsin. Here's  
15 what these people reported; you'll have the report. With  
16 a long bibliography, 41 pages of all the things that they  
17 read and considered about chiropractic.

18 Meetings were held with representatives  
19 of the Wisconsin Chiropractic Association. Representatives  
20 of the Wisconsin Board of Examiners and Chiropractors, the  
21 basic sciences examining board, the ad hoc committee on  
22 chiropractic of the state medical society and the Wisconsin  
23 Association of Osteopathic Physicians and Surgeons. Each  
24 of these groups were invited to make its observations,  
25 view of problems known to us. Each was invited to submit

1 or direct our attention to any materials in support of  
2 its position. All of such material reviewed by the com-  
3 mittee, each of these groups was advised the committee  
4 would be available for further discussion or presentation  
5 at any time during its life.

6 "The minutes of the eight public hearings were  
7 held by task force throughout Wisconsin, were reviewed  
8 for matters pertaining to chiropractic and follow-up  
9 inquiries were made in all appropriate cases. Inquiries  
10 concerning research activity were directed to each of  
11 the chiropractic colleges approved by the Wisconsin  
12 Board of Examiners and Chiropractors. The committee  
13 personally visited the Palmer College of Chiropractic in  
14 Davenport, Iowa, and met and talked with many members of  
15 its faculty and administration. Committee members also  
16 visited the <sup>Constead</sup> ~~Gungsted~~ Chiropractic Clinic in Mount Horeb,  
17 Wisconsin and were accorded a full tour of the facilities  
18 as well as the opportunity to meet with most of the staff.  
19 They contend that vertebral subluxation is the most sig-  
20 nificant causal factor in disease because it interferes  
21 with normal nerve function and that cures can be accomplished  
22 for practically any human illness by manual manipulation  
23 of the spine to bring it back into alignment."

37 Wildman - closing

1                   Isn't that cause and cure? Isn't that  
2 cultism?

3                   Then what did this committee -- then they  
4 also had -- they took advantage and considered the Canadian  
5 research team and they say they did a detailed study of  
6 chiropractic theory, education and practice. And they  
7 included visits to the chiropractic colleges in Canada  
8 and the United States, Mr. Mc Andrews. Visits to Europe  
9 to evaluate the status of chiropractic in that region.  
10 Evaluation of 31 briefs submitted by various groups and  
11 a review of the literature. Public hearings were held.  
12 And numerous interviews undertaken. And what did they  
13 conclude?

14                   It's a hoax. It's quackery.

15                   That's not the AMA. Did we control that  
16 group too? Did we control that group, Mr. Mc Andrews?

17                   MR. MC ANDREWS: Yes.

18                   MR. WILDMAN: Did we control the American Cancer  
19 Society? Did we control the Federal Drug Administration?  
20 Did we control the AFL-CIO? The AFL Bert Seiden,  
21 director, Honorable Anita Palermo Kelly, member, House  
22 of Representatives, United States Congress.

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25

1           "Your letter to George Meany, president of  
2           the AFL-CIO, on coverage of chiropractors under the  
3           Medicare law, has been referred to me for answer.

4           I"--

5           not to the AMA, to a member of Congress --

6           "I am of the firm opinion that chiropractors should  
7           not be covered under the Medicare law. Organized  
8           labor has many quarrels with organized medicine in  
9           the United States. But we have to recognize that  
10          one thing the profession has done and generally done  
11          well is to have developed and enforced standards for  
12          medical education.

13          "This means at least that any patient going  
14          to the office of a physician who displays an MD on  
15          his wall can be assured that the physician has gone  
16          through a very rigorous course of education and  
17          training followed by internship in a hospital.  
18          The same cannot be said for so-called doctors of  
19          chiropractic. There are occasionally disorders of  
20          the body which can be cured by spinal adjustment.

21          "The fallacy of chiropractic medicine is  
22          that it claims this as a cure-all or panacea. While  
23          we hear of the occasional cure, we seldom hear  
24          of the hundreds and perhaps thousands of people  
25          in this country who have suffered unnecessary

1 "prolongation of illness or even death because  
2 the chiropractor who treated them was not sufficiently  
3 trained or skilled to discover the basic cause of  
4 the illness.

5 "The training required of a so-called doc-  
6 tor of chiropractic is not sufficiently broad or thorough  
7 enough to enable him to make the first diagnosis.  
8 If the illness is one that can be treated by spinal  
9 adjustments, then any good medical doctor will make  
10 recommendations of that kind. If, however, a given  
11 illness is something that arises from a more com-  
12 plicated cause, no chiropractor would be equipped  
13 to diagnose it.

14 "I am sending you the enclosed excerpt on  
15 chiropractors from the report 'Individual Practitioners  
16 Under Medicare.' This report is the work of a special  
17 and expert committee set up by Congress in the 1967--"  
18 not the HEW report --

19 "the 1967 Social Security legislation to study the  
20 matter reported on. I am sure if you read the report,  
21 you will understand why I feel as I do."

22 Did we control the AFL-CIO? You will recall  
23 from papers how the medical profession, the AMA and the  
24 AFL-CIO clashed bitterly before Congress. That's where  
25 these things should be fought. Did we control, or were

1 they speaking up for their own membership because they  
2 felt it was in the public interest?

3 ~~THE COURT: Mr. Wildman, you have five minutes~~  
4 ~~remaining on your time.~~

5 MR. WILDMAN: You know, tonight I'm going to  
6 think of a thousand things I wish I'd said and these  
7 gentlemen are going to remind me of some things I should  
8 say and Doug is going to tell me: Why didn't you touch  
9 upon this, and Ann who's working there is going to say:  
10 "Why didn't you mention that and you've got this garbled."

11 But you're going to have to use your own  
12 best recollection of what the evidence is and help me out  
13 to that extent and review the evidence and I'm sure that  
14 whatever I've left uncovered, you will be able to answer.  
15  
16  
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Wildman - closing

1 I just can't for the life of me understand why --  
 2 there is something radically wrong, if there is a  
 3 profession that honestly believes it is dedicated toward  
 4 helping the public and alleviating suffering, why they need  
 5 to have seminars and why somebody has to get up and say --  
 6 I'm quoting Dr. Parker -- at these sessions he says:

7 "I intend to teach you all the gimmicks, gadgets and  
 8 gizmos that can be used to get new patients.

9 "Thinking, feeling, acting determine the ←  
 10 amount of money you will take to the bank. Remember,  
 11 enthusiasm is the yeast that raises the dough."

12 That's worse than quackery. That's really worse.

13 "To succeed," the textbook says, "the chiropractor  
 14 must 'LLL'. Now, let's all say it in unison: LLL.

15 Do you know what it stands for? Lather, love, lavish."

16 Then he goes on. Parker finds some people more  
 17 lovable than others. An unlovable type from the chiropractor's  
 18 point of view is a person with an acute illness. Bear in ←  
 19 mind what he says, "An unlovable," because acute is something  
 20 that's serious.

21 The course says the textbook is designed to make  
 22 you a D.C., Doctor of Chronics. You see, chronics -- a chronic  
 23 condition won't kill you. It may be even self-limiting. So  
 24 you can give treatment for it. He'll probably get well anyway.

25 Then he goes on to say:

1 "Doctor of Chronics rather than Doctor of Acutes.  
2 You'll make a lot more money," Parker explains.

3 Oh, you'll have all of this and you can read it. It's  
4 just this: If there was ever -- if there was ever a need to  
5 have something exposed, it's this. There are so many things  
6 I have left uncovered. You remember Dr. Bryden said he  
7 couldn't -- that the AMA interfered somehow with his  
8 relationship with Dr. Block and as I recall -- and you will  
9 have the evidence -- but as I recall -- what did you do with  
10 that, Doug?

11 (Laughter.)

12 MR. WILDMAN: "Dr. Block, so that my memory doesn't  
13 fail me, Dr. Block, so that we all understand, wasn't  
14 there some sort of personal difficulty between you and  
15 another doctor there in Sedalia that led to the  
16 committee hearing?

17 "Yes, there was.

18 "Was that Dr. Glass?

19 "Dr. Robert Glass.

20 "There had been a lot of animosity between you  
21 and Dr. Glass?

22 "Yes, there was.

23 "And that didn't have anything to do with the  
24 AMA, did it?

25 "Nothing to do with the AMA.

43

1                    "This meeting did not involve any other  
 2                    organized medical group except that local hospital  
 3                    staff. It was just the local hospital staff,  
 4                    wasn't it?

5                    "Answer: That's correct.

6                    "It wasn't the American College of Physicians?

7                    "Answer: No, sir.

8                    "Or the Joint Commission or the American  
 9                    Hospital Association or the AMA or even the Chicago  
 10                    Medical Association?"

11                    He says: "Just the local staff.

12                    "And Doctor, forgive the expression, did  
 13                    Dr. Block steam up this thing?

14                    "Yes, he did."

15                    You see, they cite that. That's wrong, to  
 16                    say that the AMA by some impediment got this guy not to  
 17                    have anything to do with him. You know, ladies and  
 18                    gentlemen, there is one very good thing about our country,  
 19                    and I hope we always preserve it -- there are many good things,  
 20                    of course-- but we still have the right to speak up. His  
 21                    Honor is going to give you an instruction with respect to  
 22                    this. And I hope the day never comes when someone can't  
 23                    speak out. And if they think there's an evil or think  
 24                    something is wrong, that they have a right to cry out from  
 25                    the rooftops without fear of any impediment by anybody

4 4 Wildman - closing

1 else, without fear of a lawsuit, without fear that if  
2 they're taken to court, they'll somehow have to come up  
3 with some money to pay someone.

4 If chiropractic itself -- if it really is  
5 a separate healing health care system, which they claim,  
6 then they ought to be able to prove it. You and I both  
7 know that medicine has been constantly undergoing changes.  
8 You and I know that the things, the tremendous strides  
9 that have been made in just the last five or 10 years.  
10 Why then has there been no substantial change in chiro-  
11 practic in 70 years? Why is there no progress? Is it  
12 really a science? Is it really something that belongs as  
13 a separate health care or not? To quote just one thing,  
14 there is a solution.

15 Oh, incidentally, I forgot to mention,  
16 you know, so many things you want to find out, colonic  
17 irrigation -- and this wasn't just us, but the committee--  
18 the American Cerebral Palsy investigated this and they  
19 said: Colonic irrigation is a hangover theory of auto-  
20 intoxication that was popular 50 years ago. Unsound.

21 But if there is anything that we can rely  
22 upon, and if there is anything, let me remind you that  
23 at about the time that our good friend Throckmorton was  
24 suggesting that this thing be investigated, chiropractic  
25 literature included modern x-ray practice in chiropractic

45  
1 spinography by P. A. Reiman. It is listed in the Palmer  
2 catalog of Palmer College of Chiropractic, and he is  
3 listed as professor of X-ray. And here are from the text  
4 his reasons why the chiropractors should spinograph every  
5 case. Incidentally, chiropractors say that they spino-  
6 graph everybody, take an X-ray of everybody. It's strange,  
7 the Johns Hopkins experience shows that this very evidence  
8 is less than 3 percent.

9 Is it for the money that they're doing it?

10 And he goes on to say:

11 "Reasons why the chiropractor should spinograph  
12 everything include:

13 "1. It promotes confidence.

14 "2. It creates interest among patients.

15 "3. It procures business.

16 "4. It attracts a better class of patients.

17 "5. It adds prestige.

18 "6. It builds a reliable reputation.

19 "7. It is an investment, not an expense.

20 "8. It provides good interest on your investment.

21 "9. It helps to eliminate the so-called starvation  
22 period that many practitioners go through."

23 That's worse than quackery. That's worse. And as  
24 this author points out and as one United States Senator pointed  
25 out, he was in hopes that chiropractic could be upgraded to

46  
1 conform with the scientists, but it has been pointed out  
2 that there is little practical hope for this since the central  
3 unifying belief of chiropractic theory is false.

4 To upgrade chiropractic would require the elimination  
5 of its theory and that would mean the elimination of chiro-  
6 practic. One of two things has to be done. It either has  
7 to be confined within the strict licensure laws of the various  
8 states without further expense or it has to be eliminated as a  
9 health hazard and those that would cure the human body must  
10 go to medical school and get the proper training and quality.

11 I have talked too long. I have trespassed on your  
12 time. I can't thank you enough for your service here. I  
13 really regret very much that it took so long, but we tried to  
14 hold our case to a minimum. That wasn't always easy.

15 You know, every lawyer likes to talk. We are  
16 grateful to all of you.

17 I beseech you in the name of your good future, my  
18 good future, all of us, answer "no" to every one of these  
19 questions.

20 THE COURT: Thank you, Mr. Wildman.

21 ~~At this time, ladies and gentlemen, we'll take a~~  
22 short recess.

23 (The following proceedings transpired out  
24 of the presence and hearing of the jury:)

25 THE COURT: Before Mr. Mc Andrews makes his reply, I