

Section on Historical Pharmacy

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INFLUENCE OF THE UNITED STATES PATENT SYSTEM ON THE PRACTICE OF PHARMACY.

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The recent granting of patent No. 1,000,000 by the United States government has attracted considerable attention and has been the more or less direct cause for an unusual amount of discussion on the benefits accruing from our patent system and the probable influence of patents on general progress and on the welfare of the individual members of the community.

That much of what we are pleased to term progress is directly due to innovations introduced under letters patent, is generally admitted, as is the frequently made assertion that the production of patented articles has added materially to the wealth of the nation, has made necessities cheaper and brought luxuries within the reach of even the poorer members of the community.

In the discussion of the general advantages or disadvantages of our present system of awarding patents, the influence exerted along special lines is frequently overlooked, and we need not be surprised to learn that the practice of pharmacy in these United States has been profoundly influenced by the granting of patents and that on at least several occasions the whole trend of pharmacy, first as a profession, then as a business, has been changed by patented articles or products that were used or sold in the drug stores of the country.

It may not be generally known that the first patent awarded in the United States was for an improvement in the process of making a widely used chemical substance, potassium carbonate. This patent was awarded on July 31, 1790, to Samuel Hopkins, and the historian says that the President (George Washington) and his cabinet members congratulated both the inventor and the officials at the Patent Office on the prospect of this patent adding materially to the wealth and welfare of the nation.

The Patent Board of that period consisted of the President and his cabinet officers: Thomas Jefferson, Secretary of State; Henry Knox, Secretary of War, and Edmund Randolph, Attorney General. Jefferson being chairman of the board, was really the first Commissioner of Patents.

Among others of the earlier patents granted in this country for original combinations of matter was the one issued on April 30, 1796, to Samuel Lee, Jr., of Connecticut, for the "composition of bilious pills." This patent was followed by a number of others for more or less similar preparations, and the first decade

of the nineteenth century witnessed quite an agitation over the abuses that had become evidenced in connection with "patent medicines" that were really patented.

Among the many patents on medicines of this early period was one awarded to William Story, of Lebanon, Pennsylvania, for a "medicine to cure hydrophobia," and one to Elisha Perkins, of Connecticut, the inventor of the world renowned "metallic tractors," for a "powerful remedy" for dysentery and ulcerated throat.

These early "patented" medicines were the forerunners of that host of nostrums that has served to convert the American drugstore into a repository of cure-alls and thus divert the energies of the followers of our craft from the more promising possibilities of a professional pursuit.

The nature and even the number of the earlier patents appears to be unknown at the present time, as practically all of the records of the patent office were destroyed by fire in 1836 and the present series of patents dates from that year.

Number 1 of this present series was granted to John Ruggles, July 13, 1836, for an improvement on the locomotive engine, and No. 1,000,000 was granted to Francis H. Holton, on August 8, 1911, for an improvement on the automobile, being in effect a new form of automobile tire. While it is quite probable that neither of these two patents are of direct interest to pharmacists, there are, nevertheless, a great many others whose influence on the progress of the business side of pharmacy can readily be outlined and appreciated.

It is quite probable that apart from the early patents on medicines and the subsequent introduction of trade-marks in connection with the same line of articles, no patents have influenced the development of the drug business to the same extent as did the patents on apparatus for aerated water, the so-called "soda water" of the shops, which served to add to the line of nostrums a line of beverages that were destined to become popular, and in many sections at least, have all but crowded out even a semblance of pharmacy from the modern drug store.

It has frequently been asserted that all progress, or retrogression, is in cycles, and this appears to be particularly true of the drug trade and its relation to the patent system of the United States.

As the drug business of a century ago was profoundly influenced and its development and destinies changed by the granting of patents on medicinal preparations, so the still existing remnant of the trade appears to be destined to be materially changed by the renaissance in the patenting of medicines in the eighth decade of the nineteenth century.

As yet it is too early to predict what the ultimate effect of patenting medicines is destined to be, but up to the present time the practice has certainly not improved pharmacy nor can it be said to have materially benefitted the health or the purse of the average citizen of the United States. Just at the present time, however, we appear to be entering upon an era of conservative inquiry regarding the desirability of granting monopolies in connection with substances that may and do affect the health of the people, and it may be that out of the impending investigation there will develop a new and a better pharmacy, one that will be a factor for progress in the sciences of medicine, and one that will be of service in the pro-

tection of the health of the people and assist in the prolongation of human life and the increase of human happiness.

DISCUSSION.

Dr. H. M. Whelpley inquired as to what proportion of the patents granted were for patent medicines?

Mr. M. I. Wilbert replied that, owing to the destruction by fire of the Patent Office in 1836, it would be difficult if not impossible to ascertain how many of the earlier patents were for medicinal preparations.

Story's Cure for Hydrophobia was patented in 1796, and was one of the earlier patents that appeared in general literature. Comparatively few are so mentioned. One of these is the patent on Lee's Biliious Pills recorded in the proceedings of the Medical Society of Connecticut.

Dr. Lee was a regular practicing physician in good standing, and under the code of ethics, his contemporaries objected to his holding a patent and ejected him from the society. In order to regain his standing, Dr. Lee signed an agreement that the members of the society and others of the medical profession in good standing could use his formula for Biliious Pills without interference.

Mr. Otto Raubenheimer stated that he had in his store,—which dated back to 1870—a jar which was labeled "Lee's Biliious Pills." These had evidently been used up to as late as 1870, since the jar was carefully labeled.

THERAPEUTIC "FREEDOM."

Senator Works, of California, who is a Christian scientist, and whose wife is a Christian science "practitioner," is traveling around the country making speeches against "allopathic despotism." He is very much concerned because the medical service of the army, navy and marine hospital service is in the hands of regulars, and because President Taft has recently made it unlawful for any physician to practice medicine in the Panama Canal zone without passing an examination and securing a medical license.

I suppose that the good senator would very much prefer that a Christian science practitioner should be billeted to every regiment, and one assigned to every ship. By energetic treatment before battle all discomforting wounds could undoubtedly be prevented, all casualties would thus be averted, and the dove-eyed eagle of peace would inevitably roost upon our banners. Also, all diseases could be given comfortable absent treatment over the after-dinner tea, including the great scourage of the camps of Mars—lues venerea.

And what a shame it is that the government should spend all this good money in draining swamps, installing expensive sewage systems, killing off flies, mosquitoes and other troublesome insects (whose tender hearts might be touched by the silent message of Truth), screening dwelling houses, and rigidly enforcing observance of sanitary laws.

Just think how many Christian science temples this money would build!—
Clinical Medicine.