

and has constantly striven toward this goal, realizing that there can be no all-inclusive reciprocity until the standards and requirements of the individual states have been brought to an equal basis. Once that object has been accomplished, a true reciprocity of national scope will have been made possible.

THE PHARMACIST AND THE LAW

BY HOWARD KIRK,* EDITOR OF THIS DEPARTMENT.

"Poor Lawyers Are Hurting Pharmacy" states an esteemed contemporary. Sad, but true, we reply—poor lawyers hurt about everything they touch. But we must stage our little comeback. Poor pharmacists are hurting lawyers, say we, and hurting preachers, and newspaper reporters and everything they can lay *their* hands on. Suppose we call it quits on that score.

Our contemporary seems to have a queer idea of the lawyer. The article pictures a furtive, four-flushing figure in a morning coat, pushing open a silent back-drop door—emblem of slyness—and that figure is supposed to represent a lawyer. Underneath is the legend:

"A lawyer may be shrewd in his own way. He may be foxy and full of schemes. But if he doesn't know pharmacy—if he's an amateur at the art of getting bills passed—pharmacy is better off without him."

Apparently, then, the ideal pharmacy lawyer must be "shrewd, foxy and full of schemes"—and must also understand the art of getting bills passed. To the last item we agree. It is a grand art to know how to meet a Legislative committee. It is an art that every lawyer may covet. To learn it, he will need to be sure of himself and sure of his proposition, and know how to state it in words of one syllable.

But if he desires to meet the great American populace in Congress assembled, or in Legislative Committee gathered and seated, let him forget what it is to be "shrewd, foxy and full of schemes." Some clear-eyed men are at our state capitals—men that have fought their way up in political life through every obstacle of trickery and ambush, and it will be pretty hard for him to fool those men. There are a hundred chances to one that they will fool him, if he relies on his schemes and shrewdness. Come out with your proposition, brother, and lay your cards on the table. Questionable means will not bring about legislation that is essential for the protection and conservation of public health; for example, that for regulating the practice of pharmacy. You must appeal directly to the sound sense that is in every man, whether he be on or off a legislative committee. Say what you have to say, and when you are done, stop. Then if you are on the job, and continue to stay on the job, you may get your legislation passed.

And you may not. There is no sureness about it, and no mystery. But we would like to re-draw the slick gentleman in the morning coat. Just a little professional pride, perhaps, but real lawyers don't look that way.

How do they look? You couldn't pick 'em out from any other crowd of good-lookers. They just look as if they could take you on for a fight or a frolic—whatever is necessary.

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Turning to another contemporary, we find that in Norway a law has just been passed threatening with three months' imprisonment all doctors who do not write their prescriptions in a plain and legible hand, and sign their names with equal clarity. Here is a stride forward! No longer shall druggists in Norway have to puzzle over doctors' pot-hooks. The physician there must be able to sing—

"I treated all my patients with a smile so bland,
And copied all prescriptions with a fair round hand"

if he hopes to keep out of gaol.

Still, do we in this country need the change? Somehow or other, druggists here do manage to fill doctors' prescriptions, and the mere fact that the patient can make nothing out of their hieroglyphics adds a rather pleasant air of magic to the proceeding. As one English newspaper puts it—

"The faith of the patient in the efficacy of his medicine counts for much of his cure, and if prescriptions were made out in plain English instead of abbreviated dog-Latin, and were neatly typewritten instead of being hastily scrawled, faith might be sensibly diminished."

Magic still counts for something in medicine, so we might as well hold on to it.

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A druggist friend of ours the other day told us that a prescription drawn up by a local physician was presented to him by a child who said that it was for the baby at home. Something in the prescription was wrong—too strong for a baby—and our friend refused to fill it. He called up the physician on the telephone and an angry word-fight resulted. Our friend wanted to know what his rights were and also the extent of his responsibility. An old law-book "Hilliard on Tarts" treats of the subject:

"It sometimes occurs that a druggist is called upon to fill a physician's prescription, which he has reason to believe will be dangerous, or even deadly to the patient, if used in the manner directed. If the physician cannot be reached, or if he insists that the prescription is correct, the only way to avoid responsibility is to refuse to fill the prescription. If compounded as written, and injury resulted as a consequence, the compounder would be liable as well as the physician."

The point came up for decision in a Louisiana case some years ago where it was held that a druggist might refuse to fill a physician's prescription without being liable in damages to him. The Court said:

"In many cases the druggist may have the best of reasons for declining to fill a prescription. As a chemist he may perceive or have cause to suspect that the physician erred in his prescription, or the druggist may not have at hand the ingredients, or he may distrust his ability to prepare the prescription, or other causes may disincline the druggist to undertake filling the prescription presented to him. Recognizing the room for all such cases, we cannot hold that the mere refusal of a druggist to fill a prescription furnishes any occasion to hold him for damages to the physician."

But, let us add, let the druggist beware of making impolite remarks about the physician when returning the prescription to the patient. In the Louisiana case the druggist said the prescription "was not worth a straw." This remark cost him \$100.00, for the judges said it was a slander on the physician and awarded damages against the druggist for that amount.