

of chemistry at the Women's Medical College of Pennsylvania, retaining that position until 1923. Dr. Leffmann also gave instruction in toxicology at Jefferson Medical College and for a number of years lectured at the Philadelphia College of Pharmacy and Science.

Dr. Leffmann was author of the fifth edition of "Analysis of Water," of three editions of "Analysis of Milk and Milk Products," of "Select Methods of Food Analysis;" he edited the last four editions of "Reese's Medical Jurisprudence and Toxicology," of Volumes I and II of the fourth editions of "Allens Commercial Organic Analysis;" translated from the German of "Sanitary Relations of Coal Tar Colors," by Theodor Weyl. Members of the Franklin Institute will recall the excellent book reviews published in its *Journal*.

He conversed in several languages and had a reading knowledge of quite a number. He achieved prominence as a chemico-legal and medico-legal expert in a number of noted trials in which he appeared while serving as city chemist, as chemist attached to the corner's office, that of the city prosecutor's, and while serving as chemist for the Pennsylvania Dairy and Food Commission.

Mrs. Leffmann died about a year ago.

MARTIN J. NOLL.

Martin J. Noll, Field Secretary of Missouri Pharmaceutical Association, died December 6th, aged 56 years. The deceased was a native of Illinois. At the age of fourteen, he came to St. Louis and engaged as apprentice with C. G. Penny and, later, matriculated at

St. Louis College of Pharmacy, from which institution he graduated in 1894.

Soon after graduation he engaged in the drug business in St. Louis on his own account, and at one time, he and a partner owned several stores, disposing of the last one in 1915. In succeeding periods Mr. Noll represented various pharmaceutical houses until, in 1924, he was elected Field Secretary of Missouri Pharmaceutical Association, in which capacity he served successfully and untiringly until his passing.

Mrs. Noll, a son, Edwin Raymond, and a daughter, Mrs. Florence Majers, survive the deceased.

Sympathy is expressed to the bereaved:

Mrs. Rhodes—wife of our fellow member, Charles R. Rhodes, of Hyndman, Pa., a former president of Pennsylvania Pharmaceutical Association—died December 1st.

Mrs. F. M. Tompkins, Washington, D. C., sister of Secretary Samuel C. Henry, died December 31st. The deceased had been in a local hospital for several weeks on account of injuries sustained in an automobile accident.

Mrs. George V. Haering, wife of our fellow member, former president of the C. R. D. A., died January 2nd. The deceased had been seriously ill for several months.

J. Walter Thompson, J. Walter Thompson Company, according to an appraisal filed December 31st, left a gross estate valued at more than two million dollars. The estate was divided equally between his widow, Margaret R. Thompson, and his son, Walter Roosevelt Thompson.

LEGAL AND LEGISLATIVE.

SALE OF DRUGS BY ITINERANT VENDER PROHIBITED IN LOUISIANA.

Section 12 of the medical practice act of Louisiana, provides as follows:

That any itinerant vendor of any drug, nostrum, ointment or application of any kind, intended for the treatment of disease or injury, or who may by writing, print, or other methods, profess to cure or treat disease or deformity by any drug, nostrum, manipulation or other expedient in this state, shall, if found guilty, be fined . . . or shall be imprisoned.

The J. R. Watkins Company entered into a contract with one Robert Lee Brown, one of the defendants in this case, to sell to Brown

certain drugs, or medicines, on the condition, among others, that he make at least four times a year "a thorough and personal canvass" of the territory assigned to him for the purpose of selling these medicines. Brown was unable to fulfil the terms of the contract and suit was instituted against him, and his sureties, by the Watkins Company. The lower court gave judgment for Brown apparently on the ground that the contract was illegal as proposing the itinerant vending of drugs in contravention of the section quoted, and the Watkins Company appealed to the Court of Appeals of Louisiana, First Circuit.

The object of the medical practice act, said the court, was to regulate the practice of medi-

cine by competent physicians or surgeons and to prevent its practice by unauthorized or incompetent persons. The attempt made in Section 12 to suppress itinerant venders of drugs was obviously incorporated in the statute for the prevention of the practice of medicine by quacks and mountebanks and such incorporation does not render the act unconstitutional. Counsel for the company contended that there was no penalty imposed for the mere vending of drugs, ointments and nostrums. The contention was that the only offense denounced is professing to prescribe for or treat. The section, said the Court, denounces the vending of drugs or nostrums by itinerant venders as a crime. It also provides against the professing, by printing or writing, to cure disease or deformity by manipulation or other expedient. The penalty is prescribed against the offender who violates the providence of the section in either of the ways stated. The words "profess to cure," continued the court, apply also to the mere vending of the drugs, since no sales of the nostrums would be possible unless the purchaser was promised a cure. Of necessity, such an affirmance by the itinerant vender must be implied in every sale. The word "profess," taken in its general sense, means "to acknowledge" "to avow," "to affirm." Every sale must necessarily carry an "avowal" or "affirmance" of the curative virtues of the nostrum. While Section 12 of the act is not perfect in point of diction or grammatical construction, the court said, the foregoing construction carries out the legislative purpose, which was to prevent the practice of medicine by the unqualified and the unauthorized.

The Watkins Company contended, finally, that the section in question interfered with interstate commerce and was therefore void. This section, the court said, was enacted for the protection of the public health of the state as a police regulation and is not subject to the objection made.

The Appellate Court could find no error in the record and the judgment of the Trial Court was affirmed.

CORPORATION MEDICINE.

In a decision by Judge Samuel R. Blake of the Superior Court of the State of California in and for the County of Los Angeles in the case of the people of the State of California on the relation of Granville MacGowan, plaintiff, vs. Medical Service Corporation,

defendant, recently rendered a decision from which we are taking several points that may have a bearing on the practice of pharmacy.

Judge Blake concludes that a corporation cannot practice medicine. He said that if in the last analysis corporations are allowed to practice medicine as a general proposition it is the opening wedge to the commercialization of the practice of the learned profession of medicine and permits the creeping in of many unethical and uncontrollable factors which the law has heretofore rigidly sought to avoid. He states that one of the main objections to allowing a corporation to practice medicine would be unquestionably the inability of the state to control the practice of medicine by a corporation as it does control it now under the Medical Practice Act, as each member of the profession comes directly under the Medical Practice Act and the corporation herein does not. Unprofessional conduct on behalf of the corporation could not be reached, such as aiding or betraying a professional secret, advertising, or offenses involving moral turpitude, and many others too numerous to mention.

He states finally, unquestionably if the corporation does not come within the provisions of the Medical Practice Act it would be immune from its penalties or provisions; therefore, it is important to the welfare of the people of the State of California, and hence the importance of the prohibiting of a corporation from practicing medicine as a corporation and engaging in that business through its agents for profit.

It seems from the evidence that the defendant corporation is engaged in the business of conducting dispensaries throughout the city of Los Angeles and maintains a principal office. There are six or seven stations where minor injuries not requiring medical attention are treated. Each of these stations has a waiting room where treatment is administered. These stations are enclosed as emergency hospitals and are maintained by the agents of the defendant corporation. In each of the stations the defendant maintains one physician licensed, and these doctors are employed by the corporation on a straight salary and are paid a small bonus if the company makes a profit from his particular station. The evidence shows that the corporation confines its activities to purely and entirely industrial cases. The defendant corporation has no nurse at its branches and the only nurse is at

the main office. The doctors are employed at all times by the company and the physician and surgeon give all of their time to the defendant corporation.

All the doctors are required to report to a chief surgeon at the head office. The corporation makes a charge for the services rendered by the doctor whenever a case is closed. The doctor himself makes no charge and the doctors at various stations are not permitted to treat any private cases of their own and only do the work of the corporation.

JUDGE HOLDS EIGHTEENTH AMENDMENT INVALID BECAUSE OF ILLEGAL RATIFICATION.

Judge William Clark, of United States District Court of New Jersey, on December 16th handed down a decision in which he held that the Eighteenth Amendment to the Federal Constitution is void, because ratified by state legislatures instead of conventions called in the states for such purpose, since amendments which are designed to transfer to the United States powers reserved to the states, or, if there are any such, to the people, must be ratified by conventions and not legislatures, in view of the character of the delegates to, and the deliberations in a constitutional convention, as compared with the character of the personnel of state legislatures in view of the character of the delegates to, and the deliberations in, a constitutional convention, as compared with the character of the personnel of state legislatures and their deliberations, notwithstanding the language of Article V which provides for ratification by legislatures "or by conventions," since such language can be taken as modified by the principles of political science, and since Congress, in submitting a proposed amendment, acts in an administrative capacity and the submission of the proposed amendment to

legislatures instead of conventions constituted an abuse of discretion.—United States *vs.* Sprague, *et al.* (D. C., D. N. J.)

A decision contrary to the conclusion reached by Judge Clark was handed down on Jan. 5th by the Circuit Court of Appeals for the Second Circuit by a unanimous opinion written by Circuit Judge Manton. Counsel for the defendant in this case announced that an appeal would be sought from the decision to the Supreme Court. The appeal from Judge Clark's decision was taken directly to the Supreme Court, under provisions of the Judicial Code, without the usual intermediate appeal to a Circuit Court of Appeals.

DENATURED ALCOHOL.

Effective January 1, 1931, completely denatured alcohol formula No. 5 is to be compounded as follows:

To every 100 parts by volume of ethyl alcohol of not less than 160° proof, add:

- 1 part by volume of the compound, or one similar thereto, known as aldehyd grade A.
- 1.25 parts by volume of the compound, or one similar thereto, known as alcotate.

Compounding of completely denatured alcohol under formula No. 1 was suspended, effective January 1, 1931.

GERMAN APOTHECARIES' SOCIETY.

The N. Y. German Apothecaries' Society has elected the following officers: *President*, Otto P. M. Canis; *First Vice-President*, Carl Benken-dorfer; *Second Vice-President*, Waldemar Nemser; *Recording Secretary*, Eugene Dutz; *Treasurer*, Paul Wellenberger; *Archivist and Librarian*, Carl F. Schleussner; *Counsellor at Law*, Hieronimus A. Harold; *Society's Chemist*, Friedrich Klein; *Members of Executive Committee* (Trustees), Carl F. Schleussner, Frederick Schaefer, Robert S. Lehman.

BOOK NOTICES AND REVIEWS.

Handbuch der Pharmakognosie. By A. TSCHIRCH. Second Edition. Parts I-V have been issued. Price, each part, 8 marks. Bernard Tauchnitz, Leipzig, 1930. The completed work will represent about 30 parts.

It is now more than fifteen years since the first parts of the comprehensive work bearing the above titles were issued and although apparently brought to completion in 1917, owing to conditions caused by the War the

final parts were not made available in this country until 1920. When the first edition was completed favorable comment was made and the author congratulated on the completion of so stupendous a task. It now seems opportune, when the second edition is nearing completion, on which so much time and labor have been bestowed, that it should be brought more generally to notice in order that the work may receive a wider recognition and