

### COMMENCEMENT EXERCISES.

The JOURNAL OF THE A. PH. A. is in receipt of invitations from many schools of pharmacy and desires to express appreciation and thanks for these favors.

### UNIVERSITY OF MARYLAND.

The University of Maryland celebrated its 125th anniversary in the Ritchie Coliseum at College Park, all departments of the University being represented in the ceremonies. Governor Ritchie made the introductory re-

marks; Editor J. H. Finley of the *New York Times* was the principal speaker and Dr. Welch made a brief address.

The annual banquet of the Alumni Association of the Pharmacy School was held on June 2nd. The toastmaster of the evening was R. E. Lee Williamson. President R. A. Pearson and Honorary President of the Alumni Association, Charles Morgan, spoke briefly. President Carson P. Frailey of the National Drug Trade Conference and Secretary of the National Drug Manufacturers Association attended.

## LEGAL AND LEGISLATIVE.

### NARCOTIC DRUG LAW CONSTRUED.

The Washington Supreme Court: *State vs. Helmer*, decided that a statute made it unlawful to possess narcotic drugs unless such drugs had been lawfully obtained. The law also provided, in part, as follows:

In any prosecution for the violation of the provisions of this act it shall not be necessary for the indictment, complaint or information to set forth any negative allegation, nor for the plaintiff to prove that the defendant does not come within any of the exceptions herein contained; but such exceptions shall be considered as a matter of defense and the burden shall be upon the defendant to show that he comes within such exceptions.

In a prosecution for unlawful possession of a narcotic drug, the supreme court held that, while the state had the burden of proving beyond a reasonable doubt that the defendant possessed the drug, if the defendant desired to rest his defense upon his lawfully obtaining possession of the drug, he had the burden of proving such lawful acquisition to the extent of creating in the minds of the jury a reasonable doubt as to whether or not he had unlawfully acquired possession of the drug.

### OREGON STATE FEDERATION OF PROFESSIONAL SOCIETIES.

Oregon State professional societies have affiliated in an effort to secure members of the Legislature, who in the opinion of the bodies will serve the best interests of the citizens. The societies associated for the purpose and concerned with medicine, pharmacy and more or less related service, are: Oregon Chapter, American Physiotherapy Association; Oregon State Dental Association; Oregon State Graduate Nurses Association; Oregon State Medical

Society; Oregon State Pharmaceutical Association; Oregon State Veterinarians Association.

### RHODE ISLAND PHARMACY LAW AMENDMENTS.

Pharmacy laws in general and pre-requisite requirements in particular were strengthened under the amendments recently passed by the Rhode Island Legislature and signed by Governor Case. The future registered pharmacist in Rhode Island must be 21 years of age, a citizen of the United States, of good moral character and temperate habits and a graduate from a four-year course in Pharmacy of not less than three thousand hours of instruction of which not less than twelve hundred hours shall have been devoted to lectures and recitations and not less than fifteen hundred hours shall have been devoted to laboratory work in a regularly incorporated educational institution authorized to confer degrees in the state in which it is located and which is approved by the Board of Pharmacy. Exemption is allowed to graduates of any college or school of Pharmacy or a department of Pharmacy of a university approved by the Board, who matriculated thereat prior to October 1931. Applicants must pass a satisfactory examination before the Board and shall also file proof satisfactory to the Board of four years of practical experience and pharmaceutical training under the supervision of a Registered Pharmacist. Actual attendance at college may be credited as pharmaceutical training not to exceed three years. Legislation was also included to allow reciprocal registration to Pharmacists of other states which previously had been allowed only by the rules and regulations adopted by the Board.

The amended law also abolishes the Regis-

tered Assistant Pharmacist classification except to those now holding such certificates and who did not graduate from a college after 1910 when the previous pre-requisite law was passed, and such future applicants actually engaged as clerks in licensed pharmacies on October 30, 1931, and who shall continue to be so engaged for at least three years thereafter and who, prior to October 30, 1936, shall have passed a satisfactory examination before the State Board of Pharmacy.

#### CHILE'S NEW SANITARY CODE.

According to the *Bulletin of the Pan American Union* the health and sanitary legislation has been modified. In the future only persons holding degrees from the University of Chile may practice medicine, surgery, dentistry, pharmacy, veterinary medicine, midwifery, nursing or any related profession.

Responsibility for the enforcement of the code is vested in a "director-general of public health," whose duty it is to formulate policies for municipal health regulations, to supervise revisions of the pharmacopœia, to direct inspection of buildings, to compile public health information, and to authorize establishment of private and public welfare services. Each province of the Republic constitutes a sanitary unit with a sanitary director assisted by a Public Health physician. Regulation of strictly local health matters is left to the municipalities. According to the code, the National public health service shall establish centers for vaccination, child welfare and pre-nuptial examinations. Free medical attention is provided for expectant mothers and for children of the native population. Private schools are required to retain the services of a physician. Strict measures concerning communicable diseases are included in the new law. Reporting of cases, isolation, fumigation and observation of contacts are obligatory. Children must be vaccinated against smallpox before they are one year old. Dispensaries for free treatment of venereal diseases are to be established and a special organization is to be created to fight tuberculosis.

#### ORDER TO CEASE USE OF PAID TESTIMONIALS OVERRULED BY COURT.

Declaring that the Federal Trade Commission was without authority to issue an order against the Northam Warren Corporation, manufacturers of "Cutex," directing the company to cease the practice of using paid testi-

monials in its advertising, the United States Circuit Court of Appeals for the Second Circuit has reversed the Commission's order against the company. The ruling is quoted from the *U. S. Daily*:

"In regard to the Commission's contention that the use of paid testimonials, without being so stated constitutes unfair competition, the court held that if the testimonials . . . represent honest beliefs of the endorsers, there is no misrepresentation concerning the product, and no unfair competition is created. We have no right to presume that endorsers of commercial products falsify their statements because they have received compensation."

The Commission, according to the opinion of the court, found that the statements contained in the testimonials were truthful expressions of opinion of and concerning the products, but concluded that the failure to disclose the payment of compensation for the making of the testimonials "has the capacity and tendency to mislead and deceive the ultimate purchasers of said preparations into the erroneous belief that said testimonials are entirely voluntary and unbought, and tends to and does divert trade from competitors who do not use purchased testimony in advertising their products."

"The Circuit Court of Appeals in reversing the order of the Commission explained in its opinion written by Circuit Judge Manton, that the paid endorsement were said to be neither exaggerations nor untruthful, and that there was no claim of monopoly."

"While the testimonials," it is stated, "if having merit, may tend to increase the volume of business, still, if an honest opinion is expressed under the signature of the giver of such testimonial, the public cannot be presumed to be induced to purchase the petitioner's products in any way or manner that might be said to tend to divert trade from competitors who do not use testimonials in advertising their products. It is doubtful if the public is gullible enough to believe that such testimonials are given without compensation. But if they are paid for, providing they are truthful, no one is deceived."

The issuance of cease and desist orders on the basis of paid testimonials has not heretofore been questioned by the courts, it was stated orally at the Commission. It has not been determined, it was declared, whether the case will be carried to the Supreme Court of the United States.