

### The Pharmacist and the Law

#### INTERSTATE COMMERCE IN SALE OF MEDICINES.

A Minnesota corporation entered into a contract with a resident of Missouri whereby the former agreed to sell and deliver in Minnesota or any of its regular places of shipment, certain medicines and extracts, to be paid for at the usual wholesale prices, and to be delivered when required by the purchaser. The contract also required the purchaser to make regular canvasses in a specified county for the sale of such medicines and extracts, and forbade him to sell to any others. All deliveries of medicines and extracts were made without the State of Missouri. In an action to recover the price of medicines and extracts delivered under the contract it was held that, as the plaintiff reserved no title to the property sold, and merely gave the defendant the option of returning it, the contract constituted "interstate commerce," and hence was not governed by the Missouri anti-trust laws. The plaintiff's right to sue could not therefore be defeated because, though a foreign corporation, it had not procured license to do business in Missouri, as required by Missouri Rev. St. 1909, §3040.

*J. R. Watkins Medical Co. v. Holloway, (Mo.) 168 S. W. 290.*

<>

#### SHIPMENT OF INTOXICATING LIQUORS.

The Delaware Hazel Law (27 Del. Laws, C. 130) provides by section 5 that it shall not apply to the shipment or delivery to physicians or druggists of such liquors in unbroken packages not exceeding five gallons at any one time. Section 6 prohibits any person from bringing into local option territory any quantity of liquor greater than one gallon within 24 hours. The Delaware Constitution, art. 13, §1, provides for an election to determine whether the sale of liquors in certain districts shall be licensed or prohibited, and that, after a vote against license, no person shall thereafter manufacture or sell liquors except for medicinal or sacramental purposes. The Prescription Act (26 Del. Laws, c. 147) requires all prescriptions for intoxicating liquors for

medicinal purposes to be written by practicing physicians. It is held that, in view of the recognized necessity of liquor as a drug, and therefore readily to be obtained by those authorized to prescribe or sell it, the discrimination in favor of physicians and druggists was reasonable, and that the Hazel Law did not deny the equal protection of the law.

The Webb-Kenyon Act (Act March 1, 1913, c. 90, 37, Stat. 699), by its title purporting to divest liquor of its interstate character only "in certain cases," and prohibiting transportation of intoxicating liquors from one state into another, to be received, possessed, sold, or used in violation of any law of such state, does not divest liquor of its interstate character in all cases, but removes the protection of the commerce clause only when the liquor is to be used in violation of any law of the state. Therefore the Hazel Law is held to be invalid as to a shipment and delivery of liquor from another state into a prohibition district of the State of Delaware for the receiver's personal consumption, a purpose recognized by the act itself to be lawful. But, though invalid as to such a shipment, the act is a valid enactment in so far as it regulates, limits, or prohibits the shipment of liquor from one part of the state into a prohibition district in another part of the state.

*Van Winkle v. State, Delaware Supreme Court, 91 Atl. 385.*

<>

#### SALE OF INTOXICATING LIQUORS BY DRUGGISTS.

It is held that, under Louisiana Act No. 66 of 1902, a druggist who, in a prohibition district, sold alcohol for medicinal purposes, without prescription, was properly convicted. Under this statute it suffices to charge the offense in the words of the statute, and it is not necessary to state that the offense was committed in a prohibition district.

*State v. Tullos, Louisiana Supreme Court, 65 So. 870.*

<>

#### SELLING COCAINE, ETC., WITHOUT PRESCRIPTION.

Texas Penal Code, 1911, art. 747, makes it unlawful to sell, furnish, or give away cocaine or morphine, except upon the pre-

scription of a physician. It excepts preparations recommended in good faith for cholera, etc., sales at wholesale to retail druggists, and to manufacturers or regular practitioners of medicine. It is held that an indictment for unlawfully selling, furnishing, and giving cocaine and morphine to one not having a written prescription of a physician was sufficient, without negating the exceptions as to sales in good faith for cholera, etc.

*Brown v. State, Texas Criminal Appeals,*  
168 S. W. 861.

### Of General Interest

#### MEETING OF THE EXECUTIVE BOARD OF THE AMERICAN DRUGGISTS' FIRE INSURANCE CO.

The Executive Board of the American Druggists' Fire Insurance Company met in Cincinnati, on August 7-8, all of the members of the Board being in attendance.

The business of the Company was found to be growing splendidly. During the first 6 months of the year, it wrote insurance amounting to \$7,685,869.70, at a premium of \$78,925.95, which is an increase over the corresponding period of the preceding year amounting to \$1,191,254.37, at a premium increase of \$12,305.07. On July 1st, the Company had in force business amounting to \$13,581,653.70, at a premium of \$139,778.07. During the first half of the year it had fire losses amounting to \$26,914.27. The expense of conducting business for the first half of the year amounted to \$23,033.44. It re-insured business at a premium of \$10,762.82. Its Re-Insurance Reserve was increased to \$61,976.47. Its total assets on July 1st, were \$359,018.78, and its total liabilities not including the Reserve for Re-Insurance were \$7,946.24. During the first half of the year the Company saved its policyholders in their premium cost the substantial sum of \$26,308.65, said savings being retained by the policyholders.



#### SUBSTITUTE FOR ICHTHYOL.

The American importation of ichthyol, a peculiar asphaltic material found in Austria, which finds application after appropriate chemical treatment as a very important

medicament, has been, along with many other products, cut off by the war. The raw material (44,347 pounds, valued at \$61,796 in 1913) comes from a fossiliferous deposit near Seefeld, in the Austrian Tyrol. It is carefully selected and subjected to dry distillation. The distillate thus obtained is then sulphonated and subsequently neutralized with ammonia. The use of this material has greatly increased in the last few years, and it has proved very beneficial. Almost immediately following the beginning of the war its price doubled, going to over 60 cents an ounce. Already, however, a firm in St. Louis has a material on the market that has been favorably recommended as an efficient substitute, closely resembling ichthyol itself, says Bulletin 599, United States Geological Survey.



#### SAN FRANCISCO EXPOSITION NOTES

Work has been started by the \$1,500,000 company on The Inside Inn, to be built just inside the horticultural boundary wall of the Panama-Pacific International Exposition.

France continues to give assurance of unimpaired participation at the Panama-Pacific International Exposition. Following the first cable after the outbreak of the present war came notification, on August 18, that France will send its team of athletes to have a part in the 1915 games.

A special committee of United States customs experts has been appointed to prepare for handling the great volume of business that will be created by the arrival of exhibits at the Panama-Pacific Exposition, and announces that a force of 200 inspectors will be needed at the Exposition freight slips.

Argentina has raised its appropriation for the Panama-Pacific International Exposition from \$1,300,000 to \$1,700,000. Commissioner General Horacio Vincenti has arrived in San Francisco, and work was begun on the Argentine pavilion on August 1. The pavilion with fittings and garden will cost \$300,000.

Two more nations are to participate in the Panama-Pacific International Exposition. Monaco and Roumania have cabled their acceptance. Monaco has requested 3,000 square feet of land for its pavilion—a reproduction of a hunting lodge of Albert I, Prince of Monaco. Roumania has requested 20,000 square feet for its pavilion.

A strip of ribbon two inches wide and