

deceased savant are described in a manner which will be appreciated by those who knew him personally."

The Practical Druggist celebrates its twenty-fifth anniversary with a "silver" January number; therein is much of interest in the way of historical reviews and illustrated subjects. Congratulations on the completion of twenty-five years of service are extended with best

wishes for a long continuance.

MONUMENT TO THE INVENTOR OF ICE CREAM SODA.

Robert M. Green died May 21, 1920, leaving an estate of \$352 000. He laid claims to being the originator of "ice cream soda," and it seems that records establish the fact, which will be further recorded on the tombstone in West Laurel Hill cemetery, Philadelphia.

OBITUARY.

W. ARTHUR SKILLERN.

W. Arthur Skillern, president of the Texas Pharmaceutical Association and member of American Pharmaceutical Association, died January 10, at his home in Dallas, Texas. He had been afflicted with Bright's disease for a year or more, but his condition was not thought to be serious until the day before his death.

Mr. Skillern was president and general manager of a chain of retail drug stores in Dallas, operated by Skillern & Sons. He was a Scottish Rite Mason, a member of the Shrine and of the Dallas Rotary Club. He

was born at Lewisville, Texas, 36 years ago, and had been a resident of Dallas twenty-five years.

The respect in which the deceased was held was shown by the closing, for a short time, of more than one hundred and fifty retail drug stores and the four wholesale drug houses of Dallas. The druggists of Dallas and representatives of the State association attended the funeral in a body. He was one of the assistant secretaries at the recent N. A. R. D. Convention.

Mr. Skillern is survived by his wife and a daughter, his mother, a brother and several sisters.

SOCIETIES AND COLLEGES.

KEEPING UP THE MEMBERSHIP OF ASSOCIATIONS.

Many trade organizations throughout the country to-day are worrying over resignations ranging from 10 to 50 percent of their total enrolment, according to Arnold A. Mowbray, director of public information, National Association of Credit Men, who has just issued a "Membership Maintenance Manual" in which he tells how to conserve man power in a commercial body during a period of depression.

The National Association of Credit Men is the largest commercial organization in the United States, having a membership of approximately 33,000 bankers, manufacturers, wholesalers and jobbers and 134 affiliated branches throughout the country.

Despite the period of retrenchment, the National Association of Credit Men obtained 4,985 new members last year and hopes to report a substantial increase at the convention to be held in Indianapolis in June.

How the various affiliated associations of credit men are able to obtain and retain thousands of members is revealed in the manual written by Mr. Mowbray, who is national

director of the membership department. He is an expert on the subject discussed and has traveled from coast to coast, delivering addresses and instructing volunteer solicitors how to obtain and retain members. Mr. Mowbray believes that the volunteer committeeman is the logical solicitor, because the prospect who is being invited to join knows that the volunteer has no pecuniary motive in approaching him. A continuous membership campaign is advocated by the National Membership Committee which is not enthusiastic over whirlwind drives, as members thus obtained often are not fully informed regarding the benefits of membership and after having joined merely to oblige a friend, usually resign at the expiration of a year, during which time they have not used the facilities of the organization.

NEXT ANNUAL CONVENTION OF AMERICAN PHARMACEUTICAL ASSOCIATION.

The American Pharmaceutical Association, the American Conference of Pharmaceutical Faculties and the National Association of Boards of Pharmacy will meet in Cleveland August

14-19. The Statler Hotel has been selected as convention headquarters.

The National Association of Retail Druggists will meet September 25-29, in Cleveland, and Statler Hotel will be headquarters.

CHANGE IN MEETING DATE OF NATIONAL WHOLESALE DRUGGISTS' ASSOCIATION.

The date of the forty-eighth annual meeting of the National Wholesale Druggists' Association to be held at the Broadmoor Hotel, Colorado Springs, Colorado, has been changed from the week beginning October 9, 1922, to one week earlier, namely October 2-5, inclusive.

By advancing the date one week members will gain the advantage of summer tourist rates to Colorado Springs which will not be allowed if railroad tickets are purchased after September 30, 1922.

"ELEVEN MEN IN EVERY PLAY."

In one of the editorials of a recent edition of the official organ of the Associated Advertising Clubs of the World, the above title has been chosen because it was the slogan of a successful football team. It is applied to the association under the assumption that success is gained by "eleven men in every play," *i. e.*, the whole team—all of the organization.

"If one of the members of the football team had sulked or become peevish because he did not like the way another member handled the 'pass,' the entire team might just as well have given up at that particular point, because so far as progress was concerned, with one man sulking on the job, the team could not gain many yards or at best make very little progress.

"Every man on the team must 'carry on,' must give of the best that is in him, and must work for the common end—winning the game—to bring success."

This is the message of the editorial to the members, and it seems applicable to all associations. While conditions are improving, and there is every reason for encouragement, this is a year during which there should be team work, not only for our country but for the organization in which we are all concerned.

THE COLLINS COLLECTION OF ALGAE ACQUIRED BY NEW YORK BOTANICAL GARDEN.

The Collins collection of algae, covering both the seaweeds and their fresh-water relatives, has recently been acquired for the herbarium of the New York Botanical Garden

in Bronx Park through the generosity of its Director-in-Chief, Dr. N. L. Britton. The new accession includes more than 40,000 specimens from nearly all parts of the world, New England, Bermuda, Florida, California, Alaska, the Philippine Islands, Japan, the Dutch East Indies, South Africa, Australia and the South Sea Islands being especially well represented.

Frank Shipley Collins of Malden, and later of North Eastham, Mass., was a business man who devoted his leisure to the advancement of scientific knowledge.

The Collins collection is the latest of an important series of large collections which have been purchased to facilitate the scientific researches that are carried on in the Bronx Park institution. Among these are the J. B. Ellis collection of fungi, numbering about 80,000 specimens; the Mitten collection of mosses and hepatics, including about 50,000 specimens; the Underwood fern collection, with 16,000 specimens; the Otto-Kuntze herbarium of more than 30,000 miscellaneous specimens, presented to the Garden by the late Andrew Carnegie; the Vigener herbarium of more than 20,000 specimens, also presented by Mr. Carnegie; the A. Henry collection of Chinese plants, including nearly 8,000 specimens, and the Jenman collection of West Indian and South American ferns, comprising about 4,000 specimens and given by the late D. O. Mills, the first president of the Board of Managers of the New York Botanical Garden.

The number of specimens in the entire herbarium of the Garden is now approaching the 2,000,000 mark.

PHILADELPHIA DRUG EXCHANGE.

The annual meeting of the Philadelphia Drug Exchange was held January 24, in their rooms, 253 Bourse Building. Chairman Clayton F. Shoemaker presented the annual report, giving a review of trade conditions and legislation relating to the drug business. The following were elected officers and directors for the ensuing year: *Officers: President*, Charles E. Hires; *Vice-President*, Milton Campbell; *Secretary*, Joseph W. England; *Treasurer*, A. L. Hilles, Jr. *Directors: Herbert R. McIlvaine, Dr. Adolph W. Miller, Adam Pfromm, C. Stanley French, Clayton F. Shoemaker, Walter V. Smith, C. Mahlon Kline, Norman K. Conderman. Honorary Member, Harry B. French.*

ANNUAL BANQUET AT BELLEVUE-STRATFORD,
JANUARY 26TH.

The Entertainment Committee maintained past records in menu and entertainment—Herzberg's Orchestra furnished the music, supplemented by M. A. Lennartz, cello soloist. Moving pictures, courtesy of Charles E. Hires Co., showing a trip from New York to South American points in search of roots, bark and herbs, closed the evening's entertainment. Miers Busch was toastmaster, and he presented Warwack James Price, Washington journalist, as the first speaker, who discussed the topic, "Is the Washington Conference a Success?" In his talk, he recited what has been accomplished for future peace, and declared the result to be an enduring success. Benjamin H. Ludlow moralized in his talk on "Through the Glass," and the Rev. Robert Norwood, rector of the Memorial Church of St. Paul, treating the topic "The Discovery," likened the aftermath of war to the awakening of man to his responsibilities.

STATE OF WASHINGTON PHARMACISTS
ASK NEWSPAPERS TO DISCONTINUE
USE OF WORD "DRUG" IN CON-
NECTION WITH NARCOTIC
RAIDS.

The Washington State Pharmaceutical Association has passed resolutions commissioning the secretary to ask newspapers to refrain from using the word "drug" when "narcotic" is meant. It is believed that newspapers will cooperate.

The Spokane County druggists were the first to adopt measures to try to stop this newspaper practice and they subsequently called it to the attention of the State body.

For years druggists have suffered unjustly from the reporter's word and the copyreader's pencil in stories dealing with narcotic raids and arrests. The word "Dope" being barred by many newspapers, reporters and editors have substituted in most cases the word "drug." Rarely have they used the proper word, "Narcotic."

This is a timely effort which other associations should aid.

1922 CONVENTION MICHIGAN STATE
PHARMACEUTICAL ASSO-
CIATION.

At a meeting of the executive committee of the Michigan State Pharmaceutical Association held in Detroit, January 20th, it was decided to hold the 1922 convention in Ann Arbor on June 6-8.

BOSTON ASSOCIATION OF RETAIL
DRUGGISTS.

The regular meeting of the Boston Association of Retail Druggists was held at the College of Pharmacy on Wednesday, January 18, 1922. The following officers were elected for the coming year: John J. Tobin, *president*; Sidney V. Rintels, *first vice-president*; C. Fred Wright, *second vice-president*; Samuel Davidson, *third vice-president*; L. W. Griffin, *treasurer*; Chas. H. Davis, *secretary*. *Members of Executive Committee*: Sidney V. Rintels, Arthur C. Morey, Henry B. Knight, F. J. Patrick, P. J. Cuddyer, C. A. Stover, George E. Grover, F. H. Salisbury, John R. Sawyer, C. H. Packard, C. W. Freeman, J. F. O'Connell, W. H. Glover, Sherman N. Sears and George C. Ketchum.

FRATERNITY CONVENTION.
THE PHI DELTA CHI TO MEET
IN KANSAS CITY.

The Phi Delta Chi Fraternity will hold its twenty-second Grand Council at Kansas City, February 17th and 18th. Convention headquarters have been arranged at the Hotel Baltimore and a large attendance is expected.

Phi Delta Chi is one of the largest pharmaceutical-chemical fraternities in the country, chapters being located at some of the leading schools from coast to coast.

Alumni scattered throughout the country are urged to communicate their addresses to the Grand Secretary, L. C. Heustis, of 5005 Park Avenue, Indianapolis, as in common with all other college organizations, the fraternity is experiencing considerable difficulty in locating its older members scattered during the war.

FRANKLIN INSTITUTE (PHILADEL-
PHIA) TO HAVE NEW HOME.

The Franklin Institute will have a new home on the Parkway. The cornerstone of its present building was laid June 8, 1827. The property on which the building is to be erected is owned by the Institute, and funds are on hand for the building work. Present plans first contemplate building a laboratory and museum; the main building is to cost \$1,000,000, making the total building cost approximately \$2,500,000.

JECKER PRIZE AWARDED TO M.
LÉGER.

The Jecker Prize of 10,000 fr. has been awarded by the Academy of Sciences to M. Léger, who was for many years chief pharmacist

of the Beaujon Hospital in Paris. He is an honorary member of the British Pharmaceutical Society, and Hanbury Medalist in 1911.

MASSACHUSETTS COLLEGE OF PHARMACY.

At the January meeting of the board of trustees of the Massachusetts College of Pharmacy it was voted to make the regular course, leading to the degree of graduate in pharmacy, a three-year course beginning with the next session. Many pharmacy schools are contemplating this change, unless they have

already made it, as the American Conference of Pharmaceutical Faculties has decreed that all member schools must advance to the three-year course by 1925.

The death of George Robert White has been reported, at the age of 74 years. He was president of the Potter Drug & Chemical Co., and the heaviest individual taxpayer in Boston. The magnificent building of the Massachusetts College of Pharmacy was a gift of the deceased. Further reference will be made in March JOURNAL A. PH. A.

THE PHARMACIST AND THE LAW.

MALUM PROHIBITUM.

Arthur D. Greenfield of the New York City Bar contributes an article to the *American Bar Association Journal* of September 21, in which he discusses moral, legal and practical distinctions between Mala Prohibita and Mala in Se, and points out the danger to civic conscience when former are too numerous. He presents that mala prohibita are statutory offenses not involving moral turpitude.

"They are distinguished from mala in se, which are acts supposed to be inherently wrong. This distinction rests on an assumed absolute standard of ethics, but in application usually depends on whether or not the act was an offense at common law. The decisions are not all harmonious on this point, some judges attempting to apply their own conception of moral turpitude as a standard. But if the common law test be adopted we find the distinction resting upon a sound philosophical basis. It means that acts which for a sufficiently long time and with a sufficient approach to unanimity have been recognized by our race as ethically wrong, so that the common conscience has become crystallized in the common law, are put in a special class. The category of mala prohibita, on the other hand, includes acts which only very recently have been thought to be wrong, acts which even now are regarded as wrong by a bare majority, and acts which are not considered by anybody as wrong in themselves, but which for various reasons have been forbidden. An example of the last mentioned type is prohibition of the mere possession of certain things capable of being used in a manner deemed harmful or dangerous.

"Besides the distinction founded on the nature of the acts, there is also a legal dis-

inction which is applied in prosecutions for the two classes of offenses. In the case of mala in se it is necessary, to constitute a punishable offense, for the person doing the act to have knowledge of the nature of his act and to have a criminal intent; in the case of mala prohibita, unless such words as 'knowingly' and 'willfully' are contained in the statute, neither knowledge nor criminal intent is necessary. In other words, a person morally quite innocent and with every intention of being a law-abiding citizen becomes a criminal, and liable to criminal penalties, if he does an act prohibited by these statutes. While many statutes creating new crimes do contain words requiring proof of knowledge and intent, there is a great number in which such words are omitted, sometimes by inadvertence but more often deliberately."

Mr. Greenfield gives a number of illustrations, but the inclusion of them would extend these abstracts beyond our limits of space. As an illustration, he supposes a body of volunteer soldiers who sacrifice personal freedom willingly, obey rules without grumbling, approve of the execution of a comrade for sleeping at his post. But now assume "that the orders are so numerous and of such a nature that they are constantly being violated by a large proportion of the men unconsciously or inadvertently, and assume further that most of such violations pass unnoticed and unpunished, but that every now and then some man, through mere bad luck or perhaps through being in bad favor with the officers, is punished for doing what all the rest are doing.

"What will be the effect upon this body of men? Discipline, formerly maintained by the patriotism, 'esprit de corps' and good morale of the men, can perhaps still be main-

tained under the new conditions, but only by increasing strictness in orders, increasing severity of punishments and the vigorous use of a large body of military police. The men are the same, but their feeling has changed. They have become mutinous, sore, rebellious. They no longer respect their officers, and are inclined to resent, disobey and evade even the necessary and reasonable orders to which before they had yielded cheerful obedience.

"An excessive creation of *mala prohibita* tends to foster in the public mind a feeling of resentment and willingness to disobey the law. This reacts upon the situation so as to make necessary an increase in the number of *mala prohibita*. Ingenuity has to be exerted by the lawmakers in prohibiting innocent acts or devising regulations as to the terms and conditions on which they are permitted, in order to make impossible or more difficult the commission of some other act which it is desired to prevent. Instances of prohibitions or regulations to aid in the enforcement of other prohibitions are familiar to all. If the sale of an article is to be prevented, not only its sale but its possession and transportation are forbidden. If it is desired to prevent the use of an article for a certain purpose or in a certain manner, arbitrary restrictions are placed upon its use for other purposes and in other ways, to prevent evasion of the particular prohibition desired. We thus have a vicious circle: the more prohibitions, the greater the tendency to violate them; the greater the tendency to violate them, the more prohibitions are required."

We have probably not quoted enough of the instructive article to do justice to the author; however, the experiences of pharmacists and their observation of events will enable them to make use of the conclusions arrived at by Mr. Greenfield, which are: "*Mala prohibita* to be successfully prevented must be punishable without proof of knowledge either of the law or of the facts, and without proof of any criminal intent. We have also seen that the application of this principle leads to certain bad results, especially a general loss of civic conscience. This presents a problem whose solution depends on the relative importance to be attached to morality of conduct and spiritual morality. If it is more important and beneficial to society to prevent the doing of the forbidden acts than to preserve a good social morale, the solution is simple. It consists in increasing the number of prohibitive

statutes and the severity of the penalties for their violation, and securing a large enough police force to enforce them with the highest possible degree of effectiveness. Any law can be quite thoroughly enforced in that way. The stringent military regulations of the Germans were very adequately enforced in the French and Belgian cities occupied by their troops in the late war.

"To get effective results by this method, while entirely practicable, would require an enormous amount of money, and I suppose that is the reason it has never been attempted. Increasing the number and severity of penal statutes has, of course, been tried, but without the employment of an adequate force. For the sake of economy other methods have been adopted, such as giving the informer a portion of the fine, winking at blackmail and graft in order to make the position of enforcement officer attractive in spite of low official pay, and—a very common method—allowing general violation of the law for long periods and then occasionally pulling off drag-net raids. These methods, while not effective in wholly preventing the prohibited acts, do accomplish something in confining their commission largely to those who make a business of it and can afford the additional overhead expenses imposed on them by law enforcement. The preference for such methods, however, creates the impression on the part of the average citizen that the government—his personification of the lawmaking powers—is hypocritical, is 'bluffing', as he would put it, and does not really desire or intend the enforcement of these laws. He therefore has little moral compunction in violating them, being merely careful to see that he is not caught doing so.

"If the preservation of a good civic spirit is more important than the prevention of the acts sought to be prohibited, then the only solution is to do away with *mala prohibita*. This does not mean abandoning the penal law, since that is needed to take care of the real criminals; it means giving up the attempt to regulate conduct by statute in a manner which does not agree with the moral sense of any substantial percentage of the non-criminal population in any community to which these statutes are to be applied. There may be those who, while realizing the evils attendant upon statutory prohibitions, yet believe that certain prohibitions are required to protect the public health and morals, and that it will

not do to wait for the slow process of public education. To these I can only say that the public health and morals are not protected by penal laws which are not thoroughly enforced. Let them obtain assurance that the legislature will appropriate enough money for a rigid enforcement before they attempt to get their statutes passed, lest the harm done be greater than the harm prevented. There may be some who believe that the passage of a law has an educative effect upon the public. To these I suggest that laws for that purpose should take the form of legislative declarations, not of statutory prohibitions with penalties for their violation. But to all who seek to regulate and reform human conduct I recommend an earnest and open-minded study of human nature."

THE SENATE'S MEDDLING DISTURBS BUSINESS.

United States Senator Walter E. Edge, in the course of an address at the annual banquet of the New Jersey State legislators, January 28, said:

"The main trouble with our present economic difficulties and disturbed business conditions, is the unfortunate feeling existing in Congress, especially in the Senate, of suspicion, and the determination on the part of the lawmakers to be jealous of their prerogatives.

"There is a feeling in the Senate that it is necessary to meddle in every type of activity through some form of investigation. This tendency is well illustrated in the case of the Debt Refunding bill when it was shown that the members of the Senate even failed to trust the President of the United States on the settlement of the debts. The Senate must trust some one and purge itself of this atmosphere of suspicion, but if it won't trust the President the case seems almost hopeless.

"The fundamental evil, in my judgment, is the country's unfavorable tax system. This system is holding back every legitimate activity because investors in an enterprise are forced to pay anywhere from 40 to 65 per cent on all they make.

"All will admit, no matter on what side they happen to be, that the country will not recover its stability until we have markets. What are markets? They are the creations of business activity. There is just as much money now as before the war, if not a little more, and there are just as many people,

and the only way to bring about an exchange of commodities and money is to have the people working. So, to get back to the fundamental difficulty, so long as incomes from legitimate enterprises are kept pouring into the Government, and not added to capital, where they belong, just so long will we not have markets and remain exactly where we are."

"FINISHED" SODA SYRUPS TAXABLE.

A. C. Holden, Acting Deputy Revenue Commissioner, has ruled that a concentrated syrup—"that is, a preparation which is ordinarily diluted with from three to six parts of simple syrup and to which in most instances is added acid or coloring matter producing a finished product—is not taxable under section 602 (e) when sold by the manufacturer thereof. If the concentrated syrup is diluted with simple syrup in the necessary proportions the resultant product is taxable under section 602 (e), the tax attaching when the preparation is sold or used.

"An uncarbonated beverage prepared by combining a concentrated syrup with unfermented fruit juice and water is taxable as a still drink under the provisions of subdivision (c) of section 602. Credit may, however, be taken for any tax reimbursed the manufacturer of the unfermented fruit juice providing such tax was passed on to the purchaser by the manufacturer of the unfermented fruit juice in a specific amount or in such a manner that the purchaser knew the exact amount being paid as tax and that the same had been or would be paid over to the Government by the manufacturer of the unfermented fruit juice.

"Where a retailer dilutes concentrated syrup with simple syrup the tax imposed under subdivision (e) attaches to the complete resultant product.

"A concentrate, essence, or extract is not taxable when sold by the manufacturer thereof. These are products that usually require dilution in the ratio of nineteen parts of simple syrup to one part of the essence, extract or concentrate.

"If, however, a concentrate, essence or extract is combined with simple syrup, rock candy syrup or any other ingredient or ingredients in such proportions that the resultant product is suitable for use in the preparation of soft drinks, ice cream sodas, ice cream sundaes, etc., such resultant product is taxable under section 602(e)."

TAX-FREE MEDICINAL ALCOHOL DECISION SOON.

The Oil, Paint and Drug Reporter states: "It is reported in trade circles that the solicitor of the Internal Revenue Bureau will soon render an opinion on the legality of using specially denatured alcohol in making U. S. P. and other medicinal preparations for internal use. Authorities charged with enforcing the law are understood to be satisfied that such use of denatured alcohol, which would be tax-free, would be within the law.

"There is a question of policy involved, inasmuch as some twenty-odd million dollars revenue are annually derived by the government from tax-paid alcohol used in medicinal preparations for internal use.

"Tax-free alcohol, denatured, has been authorized for some time in medicinal preparations for external use, as well as in perfumes and cosmetics. The trade hopes this use will be extended to internal medicinal preparations, and it is claimed in support of this principle that there would be no immediate total loss of revenue. It is said that manufacturers of internal preparations are not generally ready to proceed to use denatured alcohol, and that the revenue loss might run only a million or two dollars during the first year, perhaps \$5,000,000 the second year, and gradually reach the total.

"The subject was brought up at the National Drug Trade Conference meeting several weeks ago, when a resolution dealing with the matter was offered, but, after some discussion, was withdrawn."

CHANGES IN NARCOTIC ORDER FORMS.

The *Bulletin* of the N. W. D. A., January 25th, states, that "for the purpose of throwing

additional safeguards about traffic in narcotics, the Prohibition Commissioner has authorized an important change in the order forms. In the future, duplicate forms will be printed in red ink, while the originals will be in black, as heretofore. This change will facilitate distinguishing originals from duplicates and is counted upon to obviate mistakes and irregularities that have caused the Bureau much concern during the past year. In a number of cases, manufacturers and wholesale druggists, apparently in the best of faith, have filled duplicate order forms without detecting the fact that they were not originals.

"The substitution of the new forms for those heretofore in use will be made gradually as stocks are exhausted. There is a considerable supply of old forms in the hands of collectors, and these will be issued to the trade as long as they last. There is no authority in law for retiring these outstanding forms; hence they will be used up.

"The Bureau has had under consideration for some weeks a departure in the preparation of order forms that is designed to protect the Government against fraud but that would cause great additional labor and inconvenience to the drug trade, especially to the jobber. The new plan, which has not been adopted and against which, no doubt, there will be many vigorous protests, contemplates the use of a separate form for each narcotic preparation. This would be no great hardship in the case of the average small retail druggist, but it would multiply many times the labor and expense incident to operating the narcotic department of the average jobbing house."

BOOK NOTICES AND REVIEWS.

A Text Book of Pharmacognosy. By Heber W. Youngken, Ph.M., Ph.D. P. Blakiston's Son & Co., Philadelphia; 538 pages, 350 illustrations. Price, \$6.00.

The first impression that one gets of "Youngken's Pharmacognosy" is that it was written by a teacher who understood how to present the subject to the student mind. There are on the market and used in our colleges of pharmacy several books which are very good as dispensatories but which can hardly be called textbooks. Dispensatories are of much value to the druggist and pharmaceutical manu-

facturer but not to the beginner in pharmacy. Professor Youngken's "Pharmacognosy" is a real textbook and will be gladly welcomed by teachers of pharmacy.

Chapter I, dealing with the fundamentals of pharmacognosy, is valuable, in that it paves the way for what is to come in the other part of the book. This chapter includes discussions on the valuation, the collection, and preservation of drugs and a summary of the history of pharmacognosy.

Chapter II gives a morphological classification of crude vegetable drugs. In this