

# THE PHARMACIST AND THE LAW

HOWARD KIRK,\* EDITOR OF THIS DEPARTMENT.

Your new Law Editor makes his bow. He does not know whether Law Editor is his title, or whether he has any title. In fact, he does not know exactly what his job is. His letter of instructions requires him "to contribute articles which relate to specific law points which the druggists could not get elsewhere without considerable research." He will try to be as abstruse as possible.

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The first title in the law books relates to the Name of the Druggist. It might be of interest to know that the Druggist and the Pharmacist are quite different personalities. The druggist, says a Massachusetts case, is a "person who deals in drugs and medicines." Dr. Webster calls him "one whose occupation is to buy and sell drugs, without compounding or preparation." The Pharmacist ranks higher. He, according to State Board of Pharmacy *vs.* White, a Kentucky case, "is a person who possesses the knowledge and skill necessary to compound and dispense medicines." The Apothecary, who has the most ancient title to his name, is defined as "one who prepares and sells drugs for medicinal purposes." And highest of all comes the Pharmaceutical Chemist, whose repertoire, in addition to that of the pharmacist, includes "the ability to analyze drugs and medicines and detect any adulteration."

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The first effort is the hardest. Now that we are acquainted, we will proceed with the first person plural.

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The other day we spoke to a member of the Pennsylvania Legislature that passed the 1927 Drug Store Ownership Law. This is about as drastic a statute on this subject as has ever been enacted. It requires that every pharmacy in the State shall be owned only by "a licensed pharmacist, and no corporation, association or co-partnership shall own a pharmacy unless all the partners or members thereof are licensed pharmacists," with certain exceptions in favor of firms and corporations already doing business. The Member from Philadelphia wanted to know how we liked the law. Our reply was that it was pretty hard on a corporation or partnership that came within the proscribed class, as its landlord could raise the rent *ad infinitum*, and the concern had no alternative but to submit or go out of business. The Member denied the fact; and we pointed out the provision in the Act that "no other or additional pharmacies or drug stores shall be established, owned or conducted by such corporations, associations or co-partnerships, unless all the members or partners thereof are registered pharmacists."

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The Member argued that the term "additional pharmacies or drug stores" referred to the *business*, not to the particular place where the business was conducted. Then, reasoned we, why the Act? It would be easy to secure assignments of existing pharmacies, much as title in saloons was assigned to repre-

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sentatives of the various brewing interests before Prohibition. The argument closed as most arguments do—nowhere. Our Supreme Court will have to decide the matter. When it does, due and timely notice herein will be given.

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We tried a new one on our class the other day. It is here offered for contemplation:

"I walk into a drug store and order an ice cream soda. The proprietor makes one up and hands it to me, and I finish it. Ordinarily it would cost 15c. I ask the price, and proprietor says 'One dollar, please,' I demur, and he points to a large sign directly in front of him, which reads 'All Ice Cream Sodas, One Dollar.' I had not seen the sign, but it was large enough to be easily read from all points in the store. Question: What should I do? What are my rights and what are the proprietor's rights?"

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Solutions please. The line forms on the left.

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And also suggestions. Your Law Editor is doing his best, but he does not know whether he has spoken his piece right or not.

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## PHARMACY EXAMINATION ONE HUNDRED YEARS AGO.\*

BY OTTO RAUBENHEIMER.

In connection with the Centenary of *The American Journal of Pharmacy*, I published a paper in its December number, *JOURNAL A. PH. A.*, pp. 846 to 849, (1925), entitled "In 1825," in which I briefly mentioned under Events Pharmaceutical: "Law of December 1, 1825, regulates the final pharmacy examination in Prussia."

It is the object of my present paper to present details of this law in the making of which Sigismund Friedrich Hermbstaedt (1758–1833) exercised his influence. Since the demise of the celebrated Apotheker Martin Heinrich Klaproth (1743–1817), the father of mineral chemistry and analysis, Hermbstaedt became his successor as professor of chemistry and pharmacy at the University of Berlin and at the Academy of Sciences.

The pharmaceutical examination at that time was called "Pharmazeutischer Kursus" and the candidates were named "Pharmazeutische Kursisten." The examination fee was "20 Taler in gold less 8 Groschen." The practical examination was held in the Hofapotheke (Court Pharmacy).

The examination consisted of the following subjects:

1. *Latin Examination.*—The candidate was required to translate several monographs in the "Pharmacopœia Borussica," not only verbatim but according to the rules in grammar so as to leave no doubt as to his thorough knowledge of Latin. If the Latin examination was satisfactory the candidate would proceed to

2. *Written Examination.*—From three different jars he would draw one number each for the examination in the following subjects:

a. Pharmaceutical Chemistry

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\*Read before Section on Education and Legislation, A. PH. A., Philadelphia meeting.