on symptoms and signs, indicating a tuberculous infection during the closed stage: i. e., before cavitation and breaking down of a tubercle and the appearance of bacilli in the sputum. The symptoms are early, typical, repeated, though possibly slight hemorrhage, increased afternoon temperature and a hacking cough are suggestive but not positive proof.

More important are the early physical signs. Among these are a retardation in the movements over the affected lung portion and a diminution of the excursions of the diaphragm of the infected side shown by Litten's shadow. The use of the blue pencil to mark border line of dullness and points of asymmetry is strongly urged with the stethoscope. The very earliest auscultatory sound is a rough and slightly diminished respiratory murmur, not to be confounded with the sharp puerile murmur of increased function. The respiratory sound loses its smooth quality and (Sahli) becomes impure and roughened. This change is produced by slight inflammatory changes in the bronchioles, the air passing over an uneven surface and through a slightly narrowed tube. It precedes the crepitant râle and all other physical signs.

Of tuberculin, the x-ray, and the use of iodine salts to increase catarrhal symptoms, the committee says their value has not been demonstrated and a case will rarely be found in which they would add considerably to the information gained through other sources.

POSTERIOR LESIONS ARE MOST AGGRESSIVE.

Diminution of the percussion note, with harsh breathing and crepitation heard in the upper interscapular region, is suggestive of lymphatic infection and infiltration of the bronchial glands. The cases we have noted of this class run a much more rapid course than those in which the infection has been through the respiratory tract. It is true that the premise is hard to prove, but the fact remains that the cases most difficult to control have been those in which the physical evidence was most marked in the upper dorsal region. I would again urge that no chest examination is complete without most careful investigation of this region.

Extent of local lesion is not always a criterion of the general condition in pulmonary tuberculosis. This may be truthfully said of many diseases, but it is emphatically true, I believe, in pulmonary tuberculosis. We find it so in lobar pneumonia, which is also a specific disease. It is true, likewise, in many conditions of pus poisoning and local infection. It is no new proposition, therefore, but one that has not been given its full value in formulating our diagnosis and prognosis in this disease. An advanced pathologic stage is not incompatible with fairly good general conditions. Such cases, in spite of extensive tissue disintegration, may become chronic, the advance be checked, and the patient live out his expectancy.

In regard to the relation of pleurisy to tubercular pulmonary infection, where so many of recognized authority are at variance, no one man has a right to speak dogmatically. Nothnagel says: "Tuberculosis of the pleura is almost exceptionally secondary and is most frequently associated with tuberculosis of the lungs or bronchial glands." Von Ruck¹³ deducts from forty writers and his own experience as follows:

1. The pleural cavities are readily accessible to bacterial invasion.
2. The great majority of pleuritis with effusion which occur

in otherwise healthy individuals are due to infection by the tubercle bacillus. This is proved by autopsy findings, by methods of exact diagnosis, and by the subsequent clinical histories of the majority of persons who have been the subjects of such attacks.

3. There is ample evidence to indicate that the so-called idiopathic, dry pleuritis, are likewise usually tuberculous.

4. The subjective symptoms of inflammation of the pleural apices often simulate those of myalgia or rheumatism.

5. In every case of pleurisy, or of persistent pain in the chest or shoulder, which can not be satisfactorily ascribed to other causes, tuberculosis should be suspected and a careful physical examination should be instituted to determine, if possible, the existence of a tuberculous process in the lungs or elsewhere.

6. Even if physical examination in such cases proves negative, the patient should be regarded as tuberculous until the contrary is proved, and should at least be kept under prolonged observation and re-examined from time to time.

7. The application of these principles will often lead to an earlier recognition of tuberculous disease of the lungs, especially, and to the institution of treatment at a period which, in many cases, will secure to the patient most important advantages in his prospects for recovery.

In the face of such evidence it would be foolishness to raise a feeble negative. I know that I have seen cases of pleurisy with effusions that were not tuberculous and that never became tuberculous, but these may have been exceptions. With our present knowledge I should hesitate to say that the majority of cases of pleurisy become tuberculous and Bowditch, Hanford, Barr, Fiedler and others place the proportion as no greater than one-third. If, however, to this one-third we add the number of cases complicating old tuberculous lesions, it will make a high percentage, indeed, for the majority of tuberculosis cases have pleuritic extension and infection.

3886 Washington Boulevard.

WAYS TO COMBAT EVIL.*

HON. CHAMPE S. ANDREWS.

NEW YORK CITY.

1. *An authentic source of supply for facts concerning the evils complained of, is an absolute necessity.*—No amount of mere abuse will end the "patent-medicine" swindle. The catalogue of crimes and abuses with which the "patent-medicine" man stands charged must be backed up before the public and before legislative committees by cold, hard facts. An abusive statement left unverified reacts against the cause of the enthusiast who makes it; neither will the collection of facts once made remain accurate. The "patent-medicine" man, smoked out of one swindle, plans and executes another, shifting his methods to suit the dangers of every situation. "And even in penance planning sins anew." When the continuance of one swindler is made impossible by exposure, he falls by the wayside, but others rise to take his place. The ingenuity of crime has been commented on since the dawn of civilization. If "patent-medicine" swindles are to be permanently stopped, there must be an opposition gathering evidence as rapidly as it is made. Eternal vigilance is an essential element in the character of any effective opposition to the "patent-medicine" trust. Those who enlist in the fight should have some central source at which to apply for unvarnished facts, and there should be some central bureau to which every man finding proof of fraud could send the information

* Read before the Philadelphia Society of Medical Jurisprudence, March 19, 1906.

13. New York Med. Jour., Sept. 30, 1905.

for the general welfare. What is true of "patent-medicine" men is true of quacks generally.

2. *The facts once collected should be given wide-spread dissemination.*—When the people are once informed of the true facts of the vile business, its source of revenue will be best attacked. No person will knowingly walk into the lion's mouth. The "patent-medicine" business exists only to make money. Stop the revenue and the fraud dries up of its own accord.

There are many ways in which can be conducted the work of educating the public through the dissemination of specific facts concerning the various "patent-medicine" crimes.

The most effective way is to secure the co-operation of societies already well organized, and particularly of those societies that are professional, philanthropic and religious. A few may be indicated as follows:

PROFESSIONAL SOCIETIES.

The medical profession, in order to add to its supply of knowledge, is given to organization for the purpose of disseminating scientific information. The national body, known as the American Medical Association, the Medical Society of the State (and County) of New York and the other organizations of medical men, even those in the smaller towns in the country, will beyond a doubt lend their aid to any well-organized movement to bring home to the American public a realization of its present degradation brought about by the "patent-medicine" evil and habit.

The influence of the medicolegal societies, such as the excellent Medicolegal Society of New York, must not be forgotten. They have already done some excellent work in exposing quackery, and will certainly lend their aid to further systematic work along broader lines.

Dr. Prince A. Morrow, president of the new society, entitled The Society for Sanitary and Moral Prophylaxis, says that in combating the social evil and the venereal peril this new organization will give every encouragement possible to the exposure of quacks and quack medicines that have done so much to break down the health of many young boys of America.

PHILANTHROPIC AND RELIGIOUS SOCIETIES.

One hardly knows where to begin in mentioning the list of public-spirited organizations of a philanthropic nature that would co-operate in this work of education. In every community there are great numbers of societies, composed of God-fearing men and women who would rejoice at the opportunity to uplift their fellow-man and protect him against the avariciousness of the quack and "patent-medicine" charlatan. As typical of these organizations, mention may be made of the Women's Christian Temperance Union and the Young Men's Christian Association.

The W. C. T. U. has already done some substantial work along the educational lines suggested. They have valiantly fought to expose those so-called medicines that are nothing more or less than cheap whisky in disguise. The reason they have not done more lies in the fact that they have not the facilities of the specialist in unearthing the frauds, or in bringing the offenders to justice. The Y. M. C. A., with its well-equipped reading rooms and the excellent system of lectures to young men, could do a great deal toward spreading accurate knowledge of the dangers to young men who rely on the alluringly false advertisements of those medical frauds who make young men their especial prey.

Various Protestant denominations have their young people organized into societies of various kinds. These

in turn affiliate with the young people of kindred denominations, and the influence of these combined societies is one of the great moral forces of the day. Could they do a better work than in assisting to uplift the "patent-medicine" drunkards, or in bringing home to themselves and to their friends the dangers lurking in the vile drugs so freely advertised in their daily papers? In this work, the influence of the Roman Catholic clergy, if properly enlisted, would be tremendous. More than once have I seen earnest priests at the meetings of professional societies, where some of the evils we have been enumerating were discussed, and if even a few of the dangers could be accurately stated and proved to them, I feel no hesitancy in saying that they would be the first to co-operate. The Jewish hospital societies, and the various Jewish charitable societies working among the Jews of the "East Side" in New York, only wait an organized movement to lend their aid to a work the importance of which to the tenement dweller can not be overestimated.

3. *A counter attack should be made by subscribers on newspapers that accept advertisements of "patent-medicine" swindles.*—Just as the "patent-medicine" man quits business when its revenue ceases, so will the newspaper cease to be the "patent-medicine" man's ally when people refuse to pollute their homes by bringing into them papers and magazines containing foul advertisements exploiting quacks and vicious remedies. A society of 100,000 members, stretching from coast to coast, each member of which refused to read newspapers and magazines containing improper medical advertisements, would mark the beginning of the end of the "criminal alliance between quacks and newspapers."

4. *The text-books on physiology and hygiene in our schools should have some space devoted to the dangers of "patent medicines" and indiscriminate dosing.*—It is difficult to overestimate the influence exerted against "King Alcohol" by the schools employing text-books on hygiene and physiology telling of the dangers of indulgence in alcohol. Let the work be carried to its legitimate end! Let these books give the analysis of scores of "patent medicines" containing dangerous amounts of alcohol and opiates. Let the untruths contained in false advertisements of such medicines be mercilessly exposed.

5. *Evidence should be systematically laid before the postal authorities, showing that "patent-medicine" men and quacks generally are using the mails for fraudulent purposes.*—If newspaper advertising, and false literature generally, is the life-blood of the "patent-medicine" business, the United States mail is the heart that sends the blood through veins and arteries. Let the society of 100,000 members demand a rigid enforcement of the laws against fraudulent use of the mails, and let the society, if necessary, supply the technical information in a few cases, and the government, which is your government and mine, will not always turn a deaf ear.

6. *Penal laws in any way bearing on the evil should be enforced as systematically and thoroughly as possible.*—The quack and "patent-medicine" man is not afraid of mere talk. He insolently refers to it as "hot air." But when the majesty of the law says his business is fraudulent and he a criminal, the mighty fabric of this billionaire business must eventually totter and fall. A society of 100,000 people helping to enforce these laws would not be long in putting them in motion.

7. *Evidence of the far-reaching dangers of "patent-medicine" swindles should be systematically laid before our various state legislatures and persistent demands*

made for such legislation as is necessary to abate the evil.—Already we have some valuable laws applying directly to these evils. But more are needed, and the need would long ago have been supplied if the “patent-medicine” man and the “patent-medicine” lobby had not blocked the way. These obstructions must be cleared by a society of 100,000 members, each one helping to do so.

PROPOSED SOCIETY FOR THE PRESERVATION OF THE PUBLIC HEALTH.

I happen to know that the many recent articles exposing the evils of “patent medicines” have been read with absorbing interest by “patent-medicine” conspirators. Naturally enough, they hope these exposures will end without any permanent remedy for the future.

As they have read the several recommendations for the abatement of the evil above set forth, it is not difficult to imagine these wealthy gentlemen saying to themselves: “If these forces could be practically put in motion our ill-gotten millions might be in danger. However, so long as the influences which might destroy us are not organized in their effort, and have no guiding hand, our wonderful ‘patent-medicine’ trust, backed by money and brains, can beat the public at every turn. The effect of a few exposures will soon be forgotten by the public with its proverbially short memory.”

The truth of that comment no one is prepared to admit sooner than I. It is a comment, however, applicable in every fight against organized crime and entrenched evil. Abuses of every sort thrive for the most part because no one person or no one organization make it a duty to suppress them. For an elaboration of this theory see the writer’s article in the October, 1904, *Forum*, entitled “Private Societies and the Enforcement of the Criminal Law.” If an evil really exists, there are always forces for good powerful enough to destroy that abuse, provided those powers are unremittingly and diligently and honestly directed.

The “patent-medicine” evil has existed in this country more than in any other country, practically unmolested, save for the desultory attacks here and there by public-spirited people. Some few physicians in a small way have exposed the evil. Attention has here and there been called to it, and flagrant instances of the evil have come to the surface. Unlike most abuses in our national life, however, the “patent-medicine” criminal has the newspaper for an ally. Other abuses that must fall before organized public opinion, to a large extent aroused through the public press, are easier to overthrow than the “patent-medicine” evil. This evil thrives with the connivance of a large part of the press. If the “patent-medicine” man can not advertise, his business dries up and is blown away. Many newspapers in accepting his advertisements agree to suppress information detrimental to the vile business. The “patent-medicine” man bribes a large part of the press through money paid for advertising.

This element in the problem alone makes the suppression of the “patent-medicine” evil one of the most difficult questions now confronting the American people, but the evil can be suppressed, provided some organization with courage and ability, and money enough behind it, will make a business of suppressing it. The “patent-medicine” men are organized as well as an army, and to beat them their opponents must in turn have an organization complete and perfect and well equipped. After a great many years of thought devoted to the subject and a practical experience of over six years in enforcing the laws against quackery in the county of New York,

I am of the opinion that the evil will never be suppressed until a society is formed charged with the duty of fighting quackery all along the line. This society could be the directing brain that could concentrate all the powers for good that can be used in the suppression of the “patent-medicine” man and quackery generally.

OUTLINED SCHEME OF ORGANIZATION.

Such a society could be formed along the following lines:

A charter should be applied for, either under the general corporation laws of the State of New York or by special act of the legislature. New York is suggested as the most advisable state because the fight against quackery has been conducted here more systematically than in any other state in the Union, and because the opponents of quackery can be better organized from New York than from any other point in the United States. A charter from Congress would possess some advantages not obtained by incorporation in a single state.

This society should have the necessary number of officers, and care should be taken to place in offices requiring active work only those men who will go on the firing line. The honorary offices should be distributed to public-spirited men, whose names alone will strike terror to the opposition. Rich spies of the “patent-medicine” trust must be detected and denied a place in the councils of the new society.

Certain standing committees must be provided for in the organization of the proposed society. One committee, for instance, should be charged with the duty of advocating and encouraging all legislation directed against frauds in “patent medicines.” This committee should meet the well-organized lobby of the “patent-medicine” trust in every legislature of the United States, and with the facts at its disposal expose the evils of “patent medicines” in our legislatures, and at the same time bring public sentiment to bear in every state where the battle for reform is waged.

Another committee should have charge of the distribution of literature and the dissemination of information placed at its disposal by another committee whose duty it will be to collect it. The services of an expert analytical chemist must at all times be at the disposal of this committee.

Another committee, composed entirely of medical experts, will supply the necessary expert testimony, either at public hearings or in the prosecution of criminals, in the courts of law or in the form of written articles and lectures.

Another committee will have charge of the enforcement of the criminal laws now on the statute books, and so on, until each one of the forces for good mentioned above is being supervised and guided by an intelligent committee charged with the power and interested in the work.

Such a society will naturally become the proper source of authoritative information on the abuses of “patent medicine” and quackery, and the agents and investigators of such a society will be always at work gathering information, systematizing it, indexing it and making it generally available for the committees charged with the use and dissemination of this information.

MEMBERSHIP OF THE PROPOSED SOCIETY.

A mistaken idea prevails in many quarters in regard to the duty of the medical profession in suppressing “patent medicines” and quackery. Many think that physicians band themselves together to fight this evil for selfish reasons, failing to realize that the physician

profits much more than he loses by the indiscriminate practice of men with no knowledge of medicine. Sooner or later the victims of the quack and of the "patent-medicine" man must fall into the hands of the skilled physician, whereas, if they were treated by him in the first instance, their health might have been preserved with but little effort.

The physician has led the way in this work because of his public-spirited interest in it. The physician, more than anyone else in the community, realizes the dangers of quackery, and he has tried to suppress it because as a physician he feels it his duty to relieve suffering wherever he could. But the physician can not fight the evil single handed. The physician has been fighting our battle, the battle of the public, for an hundred years and more, and it is time for the public to rally to the support of the common cause.

Medical men would no doubt take a leading part in the activities of the proposed society for the preservation of the public health, but they should not be expected to do it all. At least 50 per cent. of the membership in the proposed society should be laymen of influence and standing in the community.

FINANCIAL SUPPORT.

One more vital point in connection with the proposed society remains to be discussed. The "patent-medicine" man makes his money by millions, and he is a liberal spender when it comes to protecting his interests and extending the fields of his activities. These men employ skilled counsel, they have shrewd agents working in their behalf, they have immense financial resources, and they have a well-organized lobby. To be sure, they have not right and the public interest on their side, but they have everything else for the accomplishment of their purpose.

The society to oppose them must have financial backing strong enough to make its work effective. The proposed society might have several classes of members. The ordinary annual member to become such by contributing \$5. A life member to become such by contributing \$100, and an honorary life member by contributing \$500.

It has become too much the fashion nowadays for people to expect donations and endowments from the public-spirited millionaires of America. Many people seem to think that all one has to do to get money from these men is to request it for any cause that seems to them to be good. They forget that most of these public-spirited men of wealth carefully investigate applications to their bounty, and are careful to aid only the most deserving causes. It is my belief that those gentlemen who, by their benefactions in the past, have shown an interest in the spread of medical science, in the spread of education and in the upbuilding and uplifting of human life and the purity of the American home, if they understand the plan and scope of the society for the preservation of the public health and are convinced that it is in responsible hands, will rally to its support to whatever extent it becomes necessary.

But something more than money is needed by the new society. If its influence is to be felt throughout the United States, it must have a large membership. The moral force that comes from an organization of thousands of public-spirited men and women engaged in a good cause, must be one of the chief assets of the new society.

To that end, people in every state and nation, who are interested in the work, would become charter members of the new society.

When the work of the Society for the Preservation of the Public Health becomes a reality, and it enters into the discharge of its herculean task, every member of it can feel that he or she is taking an active part in the suppression of an evil which, if permitted to spread much further, would strike at the vitals of our national character. And the proposed society must come sooner or later. It is a necessity. The only question is who will launch it, and when? Will the American Medical Association seize the present psychological moment and begin the formation of this life-saving society?

No claim of originality is made for the following indictment of crimes laid at the door of the "patent-medicine" men and quacks. No attempt is made to set forth the facts from which the generalizations have been deducted. For the most part, the indictment consists of mere condensed statements of the fact hitherto set forth in minute detail in lay periodicals and elsewhere. But in order that we may have clearly in mind the dangerous nature of these many crimes, a brief review of them will tend to emphasize the evils of the situation.

THE INDICTMENT AGAINST "PATENT-MEDICINE" MANUFACTURERS, QUACK DOCTORS, AND NEWSPAPERS IN LEAGUE WITH BOTH.

First.—Many drunkards and drug fiends date their downfall from the first dose of "patent-medicine." The most "popular" "patent medicines" contain dangerous drugs, alcohol, and narcotics, to such an extent that their continued use has made drunkards and opium fiends of hundreds of victims. Chemical analysis by the best chemists in the world have exposed over and over again the vicious nature of these leading "patent medicines." Often innocent children are made drunkards, or else killed outright, by cough mixtures and emulsions containing large amounts of alcohol and opiates.

Second.—The "patent-medicine" man preys on woman-kind. One of the leading "patent-medicine" manufacturers has expressed this well-known principle of the "patent-medicine" business in language better than any outsider could do it. His words were:

"It's the women we are after. We have buncoed them now for a good many years, and so long as they remain as 'easy' as they have been and we can make them believe they are sick we're all right. Give us the women every time."

Third.—Women's letters, instead of being kept "sacredly confidential" by the "patent-medicine" shark, are publicly exploited. The "patent-medicine" shark advertises to treat letters received from women as "sacredly confidential," and to permit no one save an honorable physician, generally mentioned by name, to read them. As a matter of fact, letters from women, laying bare their most confidential and sacred secrets, sometimes telling of the disgrace of a daughter, are opened by prying clerks and passed for reading from hand to hand through the receiving office, and if particularly racy, are shown others outside the business. "Then to cap the climax of iniquity, with some of these houses, these names and addresses, and even the letters themselves, are sold at two, three or five cents a name to firms in other lines of business for the purpose of sending circulars."

Fourth.—Quacks exploit, as a rule, poor people. The largest source of revenue for the "patent-medicine" man is from the pockets of the poor. Many people, after reading the alluring advertisements of the "patent-medicine" man, come to the conclusion that by taking the advertised remedy they can cure themselves and save the bill of a physician. They argue that if they can be cured by using one or two bottles, it will be cheaper than going to a doctor. This science of economy on the part of the poor is responsible for some of the ease with which the "patent-medicine" man amasses his fortune.

Fifth.—Most "patent medicine" testimonials are secured by fraud. "Patent-medicine" men generally advertise so-called "testimonials" in the form of letters from alleged patients who paint the curative powers of the remedy in false and alluring colors. A great majority of these testimonials are miserable frauds. In some instances men and women are deliberately paid to make false statements. Other testimonials are

manufactured in the laboratory like the medicines themselves, by the wholesale, and still others are exacted in advance of treatment from poor patients, who give these false testimonials in exchange for a few bottles of worthless medicines. Before giving newspapers contracts for advertising, some concerns require the newspapers to secure testimonials in advance.

Sixth.—"Patent-medicine" men try to "make business" by causing disease. Instead of trying to heal the sick "patent-medicine" men endeavor to "make business" by so framing their advertisements as to induce the reader to believe that he has one or more well-defined symptoms of a dangerous disease. The men employed to write these advertisements are known in the "patent-medicine" business as "hypo creators," because, by running the whole gamut of simple symptoms from "headache" to "chills down the spine," they are supposed to create hypochondriacs who will buy the drug which the advertisement guarantees will cure the disease the reader thinks he has. This is also a favorite method of deception practiced by the advertising quack doctor, especially one who advertises to cure diseases of men only.

Seventh.—No knowledge of medicine necessary in "patent-medicine" business. The chief "patent-medicine" industries of the country are enormous business institutions, the details of which in every department are conducted by laymen absolutely ignorant of the science of medicine. The scientific knowledge of the healing art is in no sense considered a requisite to the successful carrying on of the "patent-medicine" business. A good sense for advertising and a conscience that does not stick at personal enrichment filched from hoards of ignorant, suffering victims, are the qualities that bring success in that business.

Eighth.—The "patent-medicine" shark hides behind a "secret preparation." People who taken "patent medicines" are taking concoctions the ingredients of which the manufacturers fear to make known. By refusing to make public his so-called "invaluable" remedy, we are forced to conclude his drug is either worthless or dangerous, and that therefore he fears to have his dupes and victims know the true ingredients thereof. If the remedy be valuable, then he violates the honor of the medical profession, whose first rule is that all discoveries in the healing art are for the benefit of humanity, without individual profit or control, by governmental patent or secret methods. Every effort to compel the printing of "patent-medicine" formulas on labels has met with the determined opposition of the "patent-medicine" trust. The reason is obvious.

Ninth.—The "patent-medicine" man substitutes impure and adulterated drugs for pure drugs. In order to reduce the cost of his vile stuff to a minimum the fraudulent substitution of drugs is practiced by the "patent-medicine" man, e. g., wood alcohol is substituted for pure alcohol, and poisonous acids for cherry bark. There is no government inspection of any kind in this nefarious business.

Tenth.—The "patent-medicine" man disregards dangerous conditions and always recommends his particular remedy, knowing that it may be worthless or dangerous. The "patent-medicine" man willingly undertakes to cure the most dangerous diseases without any opportunity for a personal examination and diagnosis of the patient. The patient may be in a dangerous condition, but that is no business of the "patent-medicine" man. His object is to sell his remedy. He will, therefore, prescribe his "cure-all" to every applicant without discrimination, in spite of the fact that such methods bring about the deaths of thousands of victims and are universally condemned by scientists everywhere.

Eleventh.—Patients, by false analyses, are frightened into believing they are dangerously ill. The "patent-medicine" man urges his victim when he first catches him, to send in samples of urine, blood, and some other secretion of the body for inspection and analysis, on the pretense that the disease may be more accurately diagnosed. As a matter of fact, thousands of these samples may be received in a day. They are either thrown away as fast as received, or perfectly natural chemical changes and reactions are misinterpreted so as to cause the victim to believe he has a disease demanding the "infallible" remedy made by the "patent-medicine" exploiter.

Twelfth.—The "patent-medicine" man deliberately makes false claims to the curative powers and to the universal ap-

plicability of his drug. If the "patent medicine" be of value in the treatment of disease, its scope, as the scope of any one medicinal remedy, must necessarily be very limited in its efficiency and restricted to comparatively few ailments. Yet the unscrupulous owners and exploiters of "patent medicines" rarely hesitate to assure the public that their remedies are of extraordinary efficacy and will cure the most stubborn cases without fail. Material representations in the sale of a horse or a mine or a watch are often punished as "larceny by a false pretense." Why should the taking of health and money from ignorant or susceptible people by the false pretenses advanced by the "patent-medicine" swindler be called by terms less harsh, or punished by sentences less severe?

Thirteenth.—The "patent-medicine" man exploits the personal skill of a physician who is generally an imaginary person. Many of the most widely-known "patent medicines" are supposed to be controlled, either by some benevolent woman (like Lydia Pinkham, dead these twenty years), or by some celebrated physician (like Dr. Wallace Hadley of the Force of Life Chemical Company). The "benevolent" woman or the "skillful" doctor, as a matter of fact, is generally either a myth or some insignificant individual whose fame is confined to the statements made in false advertisements. These words of praise of the great "physician" may be compared to bird lime skilfully spread to catch unsuspecting birds.

Fourteenth.—The "patent-medicine" men have a strong organization to protect themselves against hostile legislation of every sort. The manufacturers of "patent medicine" have an organization representing thirty-five states in the union. This organization looks after their interests generally, but its chief function is in regard to legislation. The legislative committee consists of thirty-seven members, being several times larger than any other committee of the organization. The object of that committee is to watch national and state legislation which may affect the business interest of members, and to take such action with reference thereto as occasion may require.

The report of this committee from year to year recalls the progress of legislation in every state hostile to "patent-medicine" men and the success of this organization in combating it. The public will have to fight this organization every step of the way in its effort to free the country from the "patent medicine" evil.

Fifteenth.—Quacks make a false diagnosis of loathsome diseases. Quacks, especially those in large cities, who advertise to cure diseases of men only, have a favorite method of diagnosing a simple trouble as a vile and loathsome disease, thus frightening the patient into paying them exorbitant sums for a cure. L. R. Williams and William H. Hale and Henry H. Kane, recently run out of business by the Medical Society of the County of New York, are fair samples of this miserable type of man.

Sixteenth.—The "patent-medicine" evil could not thrive without the active support of a large part of the public press. The responsibility of the newspaper was recently expressed by a resolution passed by the Medical Society of the County of New York, reciting, among other things, as follows:

In the courts of honor, conscience and morals, if not in the courts of law, the newspaper that profits by the publication of the alluringly false advertisements of notorious quacks and charlatans, whose filthy advertisements can be found in prominent places in the advertising columns of certain New York papers, are in no wise less guilty than these charlatans themselves.

DISCUSSION.

DR. SAMUEL G. DIXON.—When I was invited here this evening to hear Mr. Andrews on "Forensic Medicine," I had no idea of opening the discussion, and I feel much embarrassed, for while I believe that "quackery" kills a large proportion of those who meet with a premature death, I have never given any thought to the remedy to overcome this great evil. However, since I learned that I would open the discussion, and knowing that I would hear such an able and comprehensive treatment of the subject, I have recalled some thoughts that have occurred to me from time to time. Once, when glancing through "Pepys' Diary," I saw a remedy for burns which ran somewhat like this: "There came three angels out of the East. The one brought fire, the other brought frost. Out fire; in frost, in the name of the Father, Son and Holy Ghost. Amen." At the

time I passed it by as an example of a superstition of the past. Last summer, however, when there was an explosion of typhoid fever at Nanticoke which promised to be more killing than that at Plymouth, and every possible means was being pushed to eradicate the original infection, and a systematic effort was being made to teach the people to boil all water that for any purpose would be taken internally, circulars in different languages were sent to each house, placards were posted on the telegraph posts, and corps of nurses visited from house to house to teach that boiled water would, in all probability, prevent infection in new centers. These nurses were met with the declaration from many, "No, we will take no care of the fever, as it is a visitation from the Almighty God on the people of the earth for permitting the sinking of the Russian war vessels." Such ignorance and superstition being the foundation stones of quackery made me realize the necessity of instructing the people before we can expect to overcome charlatanism. This in a measure can be done through the newspapers which are read before almost every fireside in this great commonwealth. For instance, the free distribution of antitoxin has brought very wide results, and from inquiry from the overseers on the farms I find that the sale of antitoxin, outside of that distributed by the state, has increased between 25 and 30 per cent. The work that has been pushed during the last six months in every township in Pennsylvania to prevent and to overcome smallpox has revealed much ignorance. One physician in Johnstown persisted in circulating vile literature against vaccination, and at the same time guaranteed to prevent smallpox with a remedy of his own to be taken internally. I ran this down and found that he was a graduate of one of the regular medical schools of this state, and that he held a license from the commonwealth to practice medicine. If a lawyer trifled with the affairs of his clients as that physician was trifling with the lives of the people, he would be debarred from practicing law. Yet, the present laws of Pennsylvania permit such quacks to go on practicing medicine under the official license bearing the seal of the state. He may have been convicted of malpractice, and yet go about flaunting a state license in our faces while he continues with his malicious pursuit. It is time, therefore, that we band together and prepare a bill to be presented to the next legislature empowering the State Medical Examining Board to revoke medical licenses when it is proved that they have fallen into the hands of charlatans and quacks. Entrusted as we are with the health and lives of the people, let us take as much pride in having a high standard of honesty, honor and intelligence in our profession as do the lawyers who safeguard the honor and property of the community. So much should we do in the way of our profession. Some years ago I stopped in a restaurant when a colored lad I had known since he was a child came up to wait on me looking thin and weak. I asked what had affected his former good health. His answer was: "Oh, Doctor, I guess it is all up wid Henry. I can't eat nothen, an' I am gotten thin and weak and has a bad cough in the mornings. I guess Henry done and got consumptions." On inquiring I learned that he had his usual good health until a few weeks previous when he had contracted a cough and at once purchased a bottle of "cough expectorant," the label of which professed to teach him how to diagnose his own case and how to regulate the dosage. He had been religiously following the instructions, with the result I have mentioned. It goes without saying that a discontinuance of the quack remedy permitted Nature to reassert herself and permitted the poor fellow to take a new lease on life. Relating this simple experience to some of our lawmakers brought out from them several incidents of the same character and the declaration that the law should forbid the sale of such quack medicine accompanied by instructions for diagnosing. The time is right here when we should pass a law forbidding the sale of any quack medicine, when such stuff is sold as a cure for human ills, and this law should provide that such medicines should bear a printed label setting forth the full detailed formula of its composition, and a violation of the law requiring such labeling should be treated as a penal offense. I have spoken of this a good deal during the past year; I have talked with a number of senators and representatives, and with the governor. The governor and a number of the senators are in sympathy with such a measure and have already expressed

themselves as being willing to help us pass this law, or rather to pass a law which will enable us to revoke medical licenses in the hands of unworthy holders. A majority are ready to pass a law forbidding the sale of "patent medicines" unless the detailed formula is affixed to the package. I say this tonight because I have been waiting for an opportunity when I could see my medical brethren and tell them what good things are in store for them at the state capitol. The men there are now ready to work with us and we have only to organize and prepare to push forward next year, when I think without doubt we can accomplish these two objects. In reading the card announcing the able address which has just been delivered, I notice the names of those whom I know have given this subject much profound thought; therefore, I cannot conscientiously take up more time from those who must have clear-cut ideas regarding the best methods to overcome one of the greatest and most rapidly growing evils of the day.

DR. ROBERTS.—I have very little to say on the direct subject of this address, but have jotted down a few notes which seem to me to be pertinent to it. I do not believe the "patent-medicine" evil and the quackery evil are entirely diseases of the community, but they are, to a certain extent, affections of the medical profession. The ease with which the public is duped by those whom intelligent men in general call "quacks," is partly due to quackish men in our own professional ranks. The essence of quackery is a boastful assertion of skill and infallibility, coupled with a strong desire to make money out of men's ill-health. The essence of medicine is a humble devotion to science and a burning wish to alleviate human suffering. Not all physicians are impelled by the motives which medicine demands of her followers. The sick often seek the advertising doctor and believe the false assertions of the "patent-medicine" label because they have found the medical practitioners with whom they have come in contact so incapable, so inefficient, or so exorbitant in fees that help seemed impossible at their hands. The family which can obtain—near its home—efficient medical aid for a moderate fee, does not often drift into the hands of the recognized quacks. The college which graduates an ignoramus, the state examining boards that give a license to an unfit applicant, and the physician who places an unjust value on his services, or who deceives his confiding patient, are potent forces in encouraging quackery. Some years ago the alumni of various medical schools were obliged to compel their almæ maters to stop the output of half-trained graduates, and the profession has at times had need to be on the alert that medical examining boards did not permit improper men to obtain licenses to practice. These sources of supply of quasi-physicians have now been pretty effectually and satisfactorily checked. There remain, however, the secret-remedy prescribers, the commission-paying consultants, and the big-fee doctors to be disciplined by the medical profession itself. When these quackish colleagues have been ostracized a great deal will have been accomplished in the crusade to suppress quackery.

DR. BEATES.—I will make a few brief statements of some of the difficulties against which our profession contends, and as I have had opportunity of viewing them. First, it may be well to elaborate more fully a point raised by the last speaker wherein he refers to certain classes or types of practitioners who, because of their methods, form one of the most potent factors in establishing conditions favorable to the thriving of quackery. Reference is made to the professorial element of the commercial medical college, which is operative for the following reasons: A professor is regarded by the public as a paragon of medical knowledge and skill, and his fiat in matters of public questions, as well as of professional skill, is obeyed with a blind trust and confidence truly surprising. Now, quacks, if apprehended in this commonwealth, and convicted of illegal practice, are simply subjected, because of the Act of Assembly, a relatively weak law, to a mere fine. As we have seen from the speaker tonight, the "gullibility" of the public is such that these quacks receive fabulously large remuneration for their evil practices; therefore, these fines are paid, and within twenty-four hours the quacks are at their nefarious work again, presuming, and oftentimes well founded in so doing, that the annoyance and delay and expense attaching to prosecution will render them secure from repeated arrest. If, therefore, the Act of Assembly could be so amended as to impose

imprisonment in addition to fine, one or both, to be meted out by the courts, quackery could, in a large measure, be controlled. In the efforts in this state to amend the practice act, it was attempted, in addition to standardizing preliminary education on a higher plane, as well as determining the conferment of the degree on a full four years' medical college course, to incorporate a punitive clause which would add imprisonment to the above mentioned fines. Unfortunately, the successful opposition of the class of practitioner above referred to—the professor of the commercial and low-standard medical school—swept away this measure with the higher standard provisos, and, therefore, quacks, in this state, have nothing to fear for the present but a small fine. Quackery, unfortunately, prevails among the unprincipled practitioners of medicine who are licentiates. They lack in principle and character, and advertise all sorts of methods for curing this and that disease, and because of possessing a diploma or license, or both, are the better able to make dupes of the community. It would be well, therefore, for every Act of Assembly throughout the country to have amendments providing for revocation of licenses for this and other forms of evil. In this state, a few years ago, when amendments had been framed which would have enabled the Act of Assembly to be so administered as to correct the indicated evils, the commercial medical schools actually contributed money to a political campaign fund, and the unprincipled political party leaders were induced to promise the defeat of the bill, because these colleges laid claim to the fact that, if the standards were raised, as the measure provided for, they would lose students and money and suffer financial disaster. The correction of this sort of thing lies in the hands of the rank and file of the medical profession, who, if they would stand shoulder to shoulder in forming a substantial organization, could, as should be done, sweep out of existence the boards of trustees and faculties of such concerns as are guilty of this truly horrible crime. Dr. Roberts says that colleges that send out illiterate and unfit practitioners are potent forces in the favoring of quackery. Certain it is that illiterate and incompetent practitioners are equaled in the results of their treatment of disease by any class of like ignoramus who claims this or that quack method as a means of curing disease, and it is self evident that; as these illiterate graduates are so numerous, many people obtain about as good results from the quacks as they do from those they believe to be qualified physicians; the only difference is that the quack obtains thousands of dollars for his evil practices where the physician receives but a few pennies. He also speaks of the improved condition of medical education, which is gradually diminishing this factor in the evil, and, while there has, undoubtedly, been truly marvelous advances in higher medical education, the profession should know that there are colleges even in Pennsylvania to-day that are graduating men concerning whom the following gives you a correct idea: From a college that was very active in defeating medical legislation, having for its end the establishment of proper medical education, as late as June, 1905, graduated, among many others, a man of this type. At the session of the examining board this question was asked: "Explain how intracranial venous pressure and auricular filling of the heart are affected by respiration." The answer given was this: "Because the respiration are not deep enough, or which does not allow enough air to get to the blood, of course we only want the heart to fill with blood when needed, if fill to rapid will cause enlargement of all portion which we did not need, because dead will overtake us, so therefore respiration regular, the amount, quantity and quality of blood to be forced through the ventricles, if that was not true the intracranial venous pressure, etc., would be affected and cause congestion, convulsion & headache therefore we will know the respiration is the fault." I desire to say seriously that I am not exaggerating when I say that 20 per cent. of the graduates of 1905 were of this type of illiteracy, and necessarily proportionately incompetent. The necessary correction for this is self-evident.

The next point, and one which has been well emphasized by Mr. Andrews is that it is useless for one or two individuals alone to try to prosecute quackery. A conviction here and there is absolutely strictly local and does not effect the root of the evil. The medical profession must undergo organization, and one of the things that we have to do to-day, as members

of this commonwealth, is to use our influence as individuals to effect on a well elaborated basis a complete organization.

Another matter which is a great obstacle in the successful prosecution of illegal practitioners or quacks is the want of a legal definition of what constitutes the practice of medicine. Courts have decided that the treatment of disease by any means without the use of medicine is not the practice of medicine. A more senseless and absurd fact, not a matter of law, but a fact could not well be imagined. The treatment of disease, deformity or injury, no matter by what means, is the practice of medicine.

In the *Public Ledger* of Philadelphia, on Feb. 7, 1906, a paper which I believe should be credited with having done much to educate the public to a realizing sense of the importance of the medical profession from an economic point of view, appeared an editorial entitled, "The Practice of Medicine," and also the following definition, which is judicial, and should, therefore, be a precedent guiding all judges in charging juries when actions of this type are under consideration,—

"The practice of medicine is the exercise or performance of any act, by or through the use of any thing or matter, or by things done, given or applied, whether with or without the use of drugs or medicine, and whether with or without fee therefor, by a person holding himself or herself out as able to cure disease, with a view to relieve, heal or cure, and having for its object the prevention, healing, remedying, cure or alleviation of disease."

The speaker of the evening suggests the advisability, and it is a most excellent suggestion, of a move being instituted to form a national society for the suppression of quackery and the prosecution of those who practice illegally. It is to be hoped that, in Philadelphia, which has the honor of being one of the earliest, if not the earliest center of medical learning, the great Philadelphia Medical Society with a membership of twelve hundred physicians, will appreciate its duty of higher citizenship and originate the effort not only of ridding this community of quacks, but of forming a national organization, whose object it will be to protect fellowmen from the fearful consequences of ignorance and quackery, as well as to save them from such extortion, extortion which passes all comprehension. Thus we could and should have the honor of being the first to identify ourselves with a movement, which disinterestedly interests itself in the highest needs and the welfare of our fellowmen.

Let us, from our membership, get together men strong in character, integrity and energy, full of purpose and force, who are willing from a conscientious point of view to pursue this arduous task and public duty with that spirit which knows nothing but success. A movement in this medical center, launched forth under such conditions must of necessity grow and develop until it has permeated the entire country.

THOMAS N. BARLOW.—I wish to express my appreciation and admiration for the very illuminating and scholarly address to which we have listened this evening. I particularly appreciate it because of the emphasis it gives to the necessity for the establishment of amendments to the police power, exercised by lawful authority, for the benefit of the people. As Mr. Andrews has said, the ordinary police channels are totally insufficient to meet the evils complained of in the paper read this evening. Special laws and special means are required, and the matter of repression and prosecution placed in the hands of people especially fitted for the work. The deterrent influence of such an organization is a thousand times greater than punitive; its very existence is a menace to evil doers. If such a society or committee is organized in Philadelphia, it will require greater expedition in the method of indictment and trial than we now have.

I may say in conclusion that I wish to congratulate my brother from New York on his presentation of one of the most concise, one of the clearest and most orderly addresses that I have ever listened to.

DR. COHEN.—I have listened with pleasure and instruction to the admirable address of Mr. Andrews. Following a thought of the last speaker, it may be recalled that some fifteen or more years ago, the Philadelphia County Medical Society undertook to prosecute offenders against the Medical Practice Act. We did not receive any assistance at the hands of the authorities, not that they were especially unwilling to assist us, but the law or practice in Pennsylvania did not favor it. We secured with much difficulty and expense a few convictions

and then the attempt was dropped. The other day my attention was attracted to a large sign board erected on the top of a house and bearing the name of one of the first offenders convicted by the County Medical Society. It stated that he treated "special diseases."

This bears out what our friend from New York has told us—that the offenders return to work the minute the vigilance is relaxed.

The community is greatly indebted to *Collier's Weekly* and the *Ladies' Home Journal* in particular, for their fight on "patent medicines." One of the greatest difficulties in the way has been pointed out by Mr. Andrews. I merely call attention to it, the Proprietary Association of America, with its unlimited capital and unremitting endeavors in defense of the nefarious occupation of its members. In ordinary fraudulent businesses, if the person responsible is found, the fraud can be broken up and the perpetrator put in jail. The men engaged in the "patent-medicine" trade are looked up to as representative citizens of the towns in which they live; they may be pillars of the church—often they are—liberal patrons of colleges and various other public institutions. It is pretty difficult to stop the disreputable work of respectable men, especially when they have taken the Lord into partnership. Moreover, these men have great political influence, perhaps sufficient in certain parts of the country to make and to unmake governors, senators, congressmen, legislators and the like.

They have been particularly generous sometimes to the villages which they left as poor boys, and thus the church, the school, the press, political interests and often public sentiment are against those who attack "patent medicines." Whatever the source and secret of their influence is, it has been so great as to cause an amendment of the Pure Food Law now before the United States Congress striking out the provision requiring the formulas of "patent medicines" to be printed on the packages.

Dr. Roberts has called attention to a phase of the subject that must interest all medical men; the relations of the medical fraternity to the "patent medicine" industry. We can not say as a body that our hands and our spirits are clean, whatever care we may have taken individually, and the skirts of the medical press in particular are not free from contamination with the "patent-medicine" evil. The work of mine to which you have been good enough to refer, and which was done with the help of the Philadelphia County Medical Society and the Medical Society of the State of Pennsylvania, was directed to one end, namely, the purification of *THE JOURNAL* of the American Medical Association from "patent-medicine" advertisements. I might again relate the manner in which I was led into the work. I happened to have under my care the proprietor of an influential newspaper, and I called his attention to some advertisements of "patent medicines," especially so-called "consumption cures," in his paper. He had excluded the advertisements of abortionists, "specialists in diseases of men," and so forth, and these were what were technically called "clean" medical advertisements. He expressed surprise at my criticism and said: "Don't you know that your own medical journals publish the same kind of advertisements?" It was my turn to express surprise. "Well," he said, "take the trouble to look." I took the trouble and found it so. I had indeed "taken trouble" on myself. I then spoke to the proprietor of an influential medical journal, with whom I occupied a similar relation, and he said: "When you get those advertisements out of the journal, of which you are part proprietor, then come to me and talk about them." The journal of which you and I and many of our friends here are part proprietor, is *THE JOURNAL* of the American Medical Association. That journal, at that time, contained the worst advertisements of any in the world, so far as my observation has gone. As soon as the matter was brought to the attention of the American Medical Society, a resolution was passed for the exclusion of the advertisements, but that resolution, until within very recent years, remained to a large extent a dead letter, because the authorities of the American Medical Association were not willing to insist on it being carried out, because the pressure of "business interests" was too great to overcome.

We owe a debt of gratitude to Dr. Simmons, the present editor of *THE JOURNAL*, who has done more to organize the American Medical Association of America into a force for good than any of his contemporaries. He has begun in earnest the work of cleansing *THE JOURNAL* from nostrum advertisements and has begun to share with some of us Philadelphians the verbal compliments of the quacks and imposters and their journalistic mouth-pieces. Until the medical men succeed in cleaning the medical press, I doubt whether we have any right to say anything to the proprietors of the daily press.

I am very glad that our friends who are not of the profession are willing to bring pressure to bear on the daily newspapers, and to show them what harm they are doing, but I feel with Dr. Roberts, that until we have removed the beam from our own eye, we are not in a position to say anything out loud about the mote in the eye of others.

The American Medical Association has been suggested as the society to take up this work in general. I doubt whether that is possible. The American Medical Association has enough to do with its scientific work, with its work in public health promotion, properly so-called, and in keeping itself clean, to occupy all of its attention. But I believe that the American Medical Association might well co-operate with a national society, such as has been suggested.

In concluding, I have only to say that I have been personally indebted to Mr. Andrews for presenting to us his very clear view of the situation, and for pointing out to us the necessary steps that we must take in Philadelphia to get rid of fraudulent practitioners. There is no doubt that the police law should be changed, and that when it is changed, we should have somebody charged with the execution of this law so that it will not fall into innocuous desuetude. That body might be the State Board of Medical Examiners, or the Philadelphia County Medical Society, or some other society, but it should be some one definite body.

It has been suggested that if a physician abuse his license it should be revoked. I am heartily in accord with that proposition, but I think it would be dangerous to place such power in the hands of any other body than a court of law, which will hear both sides publicly. A lawyer can be disbarred only by order of court, and a physician should not have his license revoked except by order of court, but the State Board of Medical Examiners might call the attention of court to the facts and ask for revocation of license, as is done in the legal profession, I believe by the Bar Association.

PROFESSOR FRAZER—I am surprised that you call on me to say anything on this subject, who am neither lawyer nor physician, but I have listened with great interest to the paper this evening. I had thought the physicians who with altruistic spirit, claim everything for their profession, would also include quackery. I do not wish to introduce a discordant note, or one foreign to the subject which would distract the attention from Mr. Andrews' very able discussion, which concerns the medical profession; any yet not alone, for we have in geology and in chemistry as many quacks as you have, but our quacks are not quite so well off, nor are they so generally known. They are to be found, however, in Washington, Harrisburg, and some institutions of learning. Dr. Dixon, who is both a lawyer and a medical man; eminent in both professions and president of various institutions, could tell us how many professions he has seen invaded by quacks; he has seen many kinds in one hall.

I would simply add what tribute I can to the very excellent paper by Mr. Andrews, and say that I have derived a great deal of pleasure from it, and if I have an opportunity to further the movement he suggests in any way whatever, I will be only too glad to do so.

DR. DIXON.—Mr. Barlow refers to the police laws of Philadelphia, and it may be of interest to us to know that the Department of State had 1700 men in the fall, and will soon have 2800 men, any one of whom can arrest without warning, and the commissioner has power to employ counsel to prosecute the cases. Therefore, it seems to me, that the state has a law sufficiently broad to cover the questions before us to-night, but that is only applicable to the townships, outside of boroughs and cities, and does not apply to local practice.