

MAINE STATE LEGISLATURE

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FIFTY-SIXTH LEGISLATURE.

HOUSE.

No. 108.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN.

AN ACT to establish a standard of qualification for the practice of medicine in the state of Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECTION 1. The standard of qualification of a practitioner of medicine, surgery and obstetrics or of any one who may attempt to practice, singly or jointly, medicine, surgery or obstetrics, shall be and consist of the following, namely : a comprehensive and practical knowledge of human anatomy, human physiology, pathology, chemistry, materia medica, obstetrics, practice of medicine and surgery, public hygiene.

SECT. 2. The possession of a diploma regularly issued by any medical school acting under a charter from this or other state or country, shall be a sufficient

4 license for the person to whom the same is granted, to
5 practice, singly or jointly, medicine, surgery or obstet-
6 rics, as set forth and empowered in said diploma ;
7 *provided, however,* that a diploma that has been or that
8 may hereafter be awarded for a money consideration,
9 or any other article of value alone, or that has been or
10 that may hereafter be awarded to any person who has
11 not pursued the usual course of study required by a
12 legally chartered school shall not be sufficient qualifi-
13 cation under this act.

SECT. 3. Any person desiring to practice medicine
2 who may not be in possession of a diploma legally
3 awarded him as provided for in section two of this act,
4 and who may not be qualified, as hereinafter provided,
5 shall have the privilege of applying to the clerk of
6 courts in the judicial district wherein such applicant
7 resides, for an examination in the branches of medical
8 science and art as set forth in section one of this act ;
9 whereupon it shall be the duty of said clerk to appoint
10 a committee or committees consisting each of five re-
11 spectable practitioners of medicine of any school or
12 system of practice recognized by any legally char-
13 tered school in this or any other state or country, and
14 said clerk shall fix the time and place of holding such
15 examinations. Each of said applicants, before being
16 admitted to examination, shall deposit the sum of

17 twenty-five dollars (\$25.00) with said committee,
18 which shall be equally divided among them, and shall
19 be their full compensation for serving on such commit-
20 tee, and for which they shall give said applicant a
21 receipt; it shall be the duty of said committee or
22 committees to convene at any time and place desig-
23 nated by said clerk of courts for the examination of
24 one or more applicants for examination; in case of
25 absence of one or more members of said committee, a
26 majority of the members present shall fill vacancies
27 and proceed with the examination; it shall be the duty
28 of committee, when the applicant is found to be quali-
29 fied, as set forth in section one of this act, to grant
30 such applicant a certificate, and said certificate shall
31 be a sufficient license for the person to whom it is
32 granted to open an office any where in this state for
33 the practice of medicine, surgery and obstetrics, singly
34 or jointly; it shall be further the duty of such com-
35 mittee before entering upon their official business, to
36 appear before the clerk of the court and take an oath
37 or affirmation that they have not taken, and will not
38 receive any other compensation for instituting such
39 examination than that which is herein provided.

SECT. 4. Any person desiring to continue in the
2 practice of medicine, surgery and obstetrics, singly or
3 jointly, and who does not possess a diploma as speci-

4 fied in section one of this act, and who has been
5 engaged in the practice of the same for a term of not
6 less than ten years in this state, shall not be allowed
7 to continue the same, *provided* that fees for his sevices
8 shall not be recoverable by law but shall be left op-
9 tional with the patient, his or her heirs, executors or
10 administrators, whether the same shall be paid or not.

SECT. 5. Any person violating the provisions of this
2 act, shall be deemed guilty of a misdemeanor, and on
3 conviction shall be sentenced to pay a fine of not ex-
4 ceeding five hundred dollars, for the use of the county
5 wherein such misdemeanor is committed, or imprison-
6 ment not exceeding one year, or both, at the discretion
7 of the court; any person so convicted shall not be
8 entitled to any fee for services rendered, and if a fee
9 shall have been paid, the patient, or his or her heirs,
10 may recover the same as debts of like amount are re-
11 coverable by law.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 1, 1877.

Reported from the Committee on the Judiciary, by Mr. HAYNES of Augusta, and
pending acceptance of report, on his motion laid on the table and ordered printed.

ORAMANDAL SMITH, *Clerk.*