

MAINE STATE LEGISLATURE

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SIXTY-FIRST LEGISLATURE.

HOUSE.

No. 40.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-THREE.

AN ACT to provide for the registration of all practitioners of medicine and surgery.

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

SECTION 1. The county commissioners of each
2 county within this state shall provide suitable
3 books for the registration of all practitioners of
4 medicine and surgery or any of the branches of
5 medicine or surgery, qualified by the provisions
6 of this act to practice the same in this state, to be
7 known as the medical register of the county, and
8 it shall be the duty of the clerk of the supreme
9 judicial court of each county to keep and upon
10 application make use of the same for the registra-
11 tion of all practitioners of medicine and surgery or

12 any of the branches thereof, residing or sojourning
13 within the county, and qualified by the provisions
14 of this act to practice the same, and said register
15 shall be open to public inspection.

SECT 2. Any person who shall practice medicine
2 or surgery or any of the branches of medicine or
3 surgery within this state for gain, or who shall
4 accept any fee or recompense as a practitioner of
5 medicine and surgery or any of the branches of
6 medicine or surgery, directly or indirectly, shall
7 have received the degree of doctor of medicine, or
8 be a graduate of a legally chartered medical col-
9 lege, medical school, university, or medical society
10 authorized by law to confer the degree of doctor
11 of medicine, except as provided for in sections four
12 and seven of this act, and shall be at least twenty-
13 one years of age and of good moral character; and
14 each and every such person before entering upon
15 the practice of medicine and surgery or any of the
16 branches of medicine or surgery shall furnish and
17 present to the clerk of the supreme judicial court,
18 wherein he or she resides or sojourns, his or her
19 medical diploma, including any indorsements
20 thereon, also a true copy of the same, or a certifi-
21 cate from the medical college or institution that

22 conferred his or her degree of doctor of medicine,
23 that such degree has been so conferred, and the
24 date thereof, which certificate shall have been
25 signed by the proper recording officer of such
26 medical college or institution, and such person
27 shall make affidavit before the clerk of the supreme
28 judicial court that the diploma, together with the
29 copy or certificate herein described, are genuine
30 and were lawfully granted him or her; thereupon
31 the clerk of said supreme judicial court shall enter
32 in the register his or her name in full, age and
33 place of nativity, place of residence and the name
34 of the medical college or institution that conferred
35 the degree of doctor of medicine upon him or her
36 and the date when conferred, and in like manner
37 any other degree or degrees conferred upon him
38 or her if desired, to all of which such person shall
39 likewise make affidavit before the clerk of the
40 supreme judicial court, and said clerk shall place
41 the copy of the diploma or certificate of degree of
42 doctor of medicine so presented, on file in his office
43 for public inspection.

SECT. 3. Any person having received the degree
2 of doctor of medicine as prescribed in section two
3 of this act, whose diploma shall have been lost or

(4)

4 destroyed, shall before entering upon the practice
5 of medicine or surgery or any of the branches
6 thereof make affidavit to the fact of such loss to
7 the clerk of the supreme judicial court of the
8 county where he or she resides, and except in the
9 matter of presenting the original diploma shall
10 conform to the provisions of section two of this act,
11 and the clerk of the supreme judicial court shall
12 enter in the register his or her name, age, nativity,
13 residence, place and date of graduation as described
14 in sec. 2 of this act, and shall place his or her certified
15 copy of diploma or certificate of doctor of medicine
16 on file in his office for public inspection.

SECT. 4. Any person who has been in the con-
2 tinuous practice of medicine or surgery in this
3 state, as his or her exclusive vocation since June
4 first one thousand eight hundred and seventy,
5 without having received the degree of doctor of
6 medicine shall be allowed to continue such practice,
7 but as a condition thereto shall be required to ap-
8 pear before the clerk of the supreme judicial court
9 of the county where he or she resides and present
10 to him a written statement of the time he or she
11 has been in the continuous practice of medicine or
12 surgery in this state, as his or her exclusive voca-

13 tion, which time shall not be less than thirteen
14 years, and shall make oath or affirmation to the
15 same before said clerk of the supreme judicial court,
16 who shall then enter in the register his or her name,
17 age, nativity, residence, time of continuous practice
18 without the degree of doctor of medicine, and shall
19 place his or her certified statement on file in his
20 office for public inspection.

SECT. 5. Every practitioner who shall be ad-
2 mitted to registration under the provisions of this
3 act, shall pay to the clerk of the supreme judicial
4 court who makes the registration one dollar, which
5 shall be in full for registration, and said clerk
6 shall give a receipt for the same, and shall if
7 requested indorse upon the practitioner's diploma
8 the fact, place and date of registration over his
9 official signature.

SECT. 6. Any practitioner of medicine and sur-
2 gery or any of the branches of medicine or surgery,
3 or any person who shall present to any clerk of the
4 supreme judicial court a diploma or a certificate
5 of graduation in medicine, which has been obtained
6 fraudulently or in any way unlawfully, or which is
7 in whole or in part a forgery, or shall knowingly
8 or wilfully make affidavit to any false statements

9 to be registered, or shall practice medicine or
10 surgery or any of the branches of the same for
11 gain or recompense, without conforming to the
12 provisions of this act, or shall otherwise violate or
13 neglect to comply with its provisions, shall be
14 deemed guilty of a misdemeanor, and on conviction
15 thereof shall be punished for each and every offense
16 by a fine of not less than one hundred dollars or
17 more than five hundred dollars, one-half to be paid
18 to the prosecutor and the other half to the county,
19 or by imprisonment in the county jail for a term
20 of not less than three months or more than one
21 year, or both, or either, at the discretion of the
22 court.

SECT. 7. Nothing in this act shall be so con-
2 strued as to prevent any physician or surgeon
3 legally qualified to practice his or her profession in
4 the state in which he or she resides, from practicing
5 medicine or surgery in this state, but any person
6 who shall open an office or appoint any place
7 within the state where he or she shall meet
8 patients or receive calls for medical or surgical
9 treatment, shall be deemed a sojourner, and shall
10 conform to the provisions of this act; nor shall
11 anything in this act apply to the practice of dent-

12 istry or to the practice of medicine and surgery by
13 medical officers of the United States military or
14 naval service in the discharge of their official
15 duties within this state.

SECT. 8. All acts or parts of acts inconsistent
2 with this act are hereby repealed.

SECT. 9. This act shall take effect on the first
2 day of June, one thousand eight hundred and
3 eighty-three.

STATE OF MAINE.

In HOUSE OF REPRESENTATIVES, }
January 31, 1883. }

Presented by Mr. HERR, and on his motion ordered printed.

ORAMANDAL SMITH, *Clerk.*