

arise regarding the identity of any person presenting a diploma, degree, commission or warrant as aforesaid, before any Medical Board, with the person named in such diploma, degree, commission or warrant, it shall be lawful for the said Medical Board, through the Chairman presiding for the time being, and he is hereby required and authorized to administer an oath or solemn affirmation, (if such person be one of those authorized to affirm instead of taking an oath in civil cases,) to the person presenting such diploma, degree, commission or warrant, as to such identity; and if any person so presenting such diploma, degree, commission or warrant, and applying for a certificate or license as aforesaid, shall be guilty of false swearing or false affirmation in such oath or affirmation, such person shall be deemed guilty of wilful and corrupt perjury, and on conviction thereof, shall be liable to the pains and penalties to which any person convicted of that offence is liable by the laws of the Province.

Qualification of persons to be licensed to sell Drugs and Medicines. Examination of such persons.

VIII. And be it enacted, That no person shall, from and after the passing of this Act, receive a License to sell drugs or medicines, as a Druggist or Apothecary, within any city or town corporate in this Province, who shall not have served a regular and continued apprenticeship of at least three years with some Medical Practitioner or licensed Druggist or Apothecary, and have attended at least one course of lectures on Chemistry, and one course of lectures on the *Materia Medica*, (each of the duration of at least six months, and each consisting of at least lectures,) or, in default of attendance on such course of lectures who shall not have served a regular apprenticeship with some Medical Practitioner or licensed Druggist or Apothecary, during the period of at least five years, or who shall not, in either case, have undergone a satisfactory examination touching his knowledge of the qualities, characters and effects of drugs and medicines, before one of the Medical Boards hereinafter mentioned, under like formalities and on like conditions as are by this Act required for persons applying for a License to practise Physic, Surgery or Midwifery.

The practice of medicine or the selling of drugs without a license to be a misdemeanor. Limitations of prosecutions. Proviso as to surgeons, &c. in the army or navy, on full pay.

IX. And be it enacted That the practice of Medicine, Surgery, or Midwifery within this Province, for hire, gain or lucre, or hope of hire, gain or lucre, or the selling of any drugs or medicines within any city or town corporate, as a Druggist or Apothecary, by any person not having a License, or not specially excepted, shall be deemed and considered to be a misdemeanor, and may be prosecuted and punished as any other misdemeanor may be; and every act of so practising on a separate day shall be a separate offence; and upon the trial of any person charged with such misdemeanor, the burthen of proof as to the License or right of the person tried, to practise Medicine, Surgery or Midwifery in the Province, shall be upon the defendant; but no prosecution shall be commenced for such misdemeanor after three months from the commission of the supposed offence, and no person convicted of such misdemeanor shall be sentenced to a longer period of imprisonment than three months, nor to a greater fine than pounds, nor to a less fine than pounds, currency;

Provided, always, that nothing herein contained shall extend or be construed to extend to prevent any Physician or Surgeon, or other Medical Officer, of her Majesty's Navy or Army, on full pay, from practising as such, while stationed within the said Province, and actually employed in the said Navy or Army. Medical Boards to be appointed and of whom to consist. Quorum of such Boards. Meetings when and where to be held. Notice. President. Power to make By-Laws. Approval of By-Laws. The Board at its meetings shall examine into the qualification of applicants for licenses, and grant them certificates if found qualified. How the certificate shall be attested.

X. And be it enacted, That for the purpose of carrying this Act into execution, it shall be lawful for the Governor of this Province to constitute, nominate and appoint under his Hand and Seal at Arms, one or more Medical Boards within this Province, consisting respectively of at least eleven persons legally authorized to practise as Physicians, Surgeons or Man-Midwives, and actually practising as such, (not being Physicians or Surgeons on full pay in Her Majesty's Army or Navy,) and from time to time to remove any or all of the Members of any such Board, and to appoint another or others in his or their place or stead; and seven Members of any such Board shall be a quorum, and a majority of such quorum may exercise any of the powers of the Board; and each such Board is hereby required to hold a stated meeting once

in every three months, at such place as shall be appointed by the Governor of this Province, of which meeting at least two weeks notice shall be given in at least two newspapers published in the city or town at which such Board shall hold its meeting, or if there be no such newspaper, then in two newspapers published nearest to the place at which such meeting shall be so held; and at any such meeting, the Member present whose License shall be of the oldest date shall preside; and each such Board shall have power and authority to frame By-Laws and Regulations for its government, and from time to time to alter and amend the same by other By-Laws, provided such By-Laws or Regulations be not repugnant nor contrary to the laws of this Province, nor to the true intent and meaning of this Act, and be approved of by the Governor of this Province before they shall have any force or effect.

The Board at its meetings shall examine into the qualification of applicants for licenses, and grant them certificates found qualified. How the certificate shall be attested.

XI. And be it enacted, That each such Medical Board, at any of its stated meetings as aforesaid, or at any extraordinary meetings that may be called together in conformity with its By-Laws and Regulations, shall hear and examine the testimonials and qualifications of each and every person so appearing before such Board, and who shall be desirous of obtaining a License to practise Physic, Surgery or Midwifery, or either of them, and who shall have notified the Secretary of the said Board of his or her intention thereof, and deposited his testimonials at least day previous to such meeting; and such Board upon being satisfied of the correctness of the diploma, degree or commission exhibited by the applicant, and of the identity of the person presenting the same, or in default of such document, having examined into and become satisfied of the qualification, competency and ability of such applicant to practise Medicine, Surgery or Midwifery, and of his having attained the age of twenty-one years, and of his having studied four years as aforesaid, and of his having attended in two separate years complete courses of lectures on the different branches before mentioned of the Medical Profession, in some University, College or Incorporated School of Medicine, where the courses of lectures are continued during at least months and of having attended for at least one year the practice of some public Hospital where there are at the least on an average, fifty patients, and at least two Medical attendants, or of having examined into the qualification, competency or ability of any Applicant to sell drugs or medicines as a Druggist or Apothecary within any city or town corporate within this Province, and of his having served a regular and continued apprenticeship with some regular Medical Practitioner, or licensed Druggist or Apothecary during a period of four years at the least, and of his having attended the two complete courses of lectures hereinafter mentioned, of the duration of six months each, or of having served a regular and continued apprenticeship of five years as aforesaid, shall be bound to grant a certificate of the same, under the hands and seals of the Members of the said Board present at such meeting, or a majority thereof, which shall entitle the person to whom it shall be so given, to apply for and obtain a License to practise Medicine, Surgery and Midwifery, or any of them as the case may be, or to sell drugs and medicines as a Druggist and Apothecary as aforesaid, from the Governor of this Province.

Females may practise as midwives. Proviso, after one year they shall not practise without examination and license.

XII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent females from practising as Midwives in this Province: Provided always, that after the expiration of one year from the passing of this Act, no female shall practise for gain or hope of gain as a Midwife unless she shall have presented herself before some Medical Board to be examined as to her qualification and ability to act as such Midwife, and shall have obtained a certificate of qualification from such Board, and a License as aforesaid founded on such certificate.

Application of penalties. Accounting clause.

XIII. And be it enacted, That all penalties imposed by this Act shall be payable to Her Majesty, and reserved to the public uses of the Province, and shall make part of the Consolidated Revenue Fund thereof, and the application of the same shall be accounted for to Her Majesty, Her Heirs and Successors, through the Lords Commissioners of Her Majesty's Treasury for the time being, in such manner and form as Her Majesty, Her Heirs and Successors shall be pleased to direct.