

How and when licenses under this Act shall be granted.

III. And be it enacted, That it shall be lawful for any person who may be entitled to receive a license to practise Physic, Surgery and Midwifery in this Province, under the provisions of this Act, to avail himself of this privilege by making application for such license to the 5 College of Physicians and Surgeons of Lower Canada, who are hereby authorized and required to grant such license, if the necessary proof that the said applicant is in a condition to avail himself of the provisions of this Act shall be adduced to them: Provided also, that the pro- 10 duction of a Medical Degree or Diploma purporting to be a Degree or Diploma from any University, or College, and the production of a certificate of qualification in the form of the Schedule (A) hereunto annexed, purporting to be signed by three or more licensed Physicians resi- 15 dent within the District where the said applicant resides, and the production of an affidavit of such applicant to the fact of his having practised as hereinbefore mentioned, purporting to be made and sworn before any Justice of the Peace as hereinafter specified, (which said writing or 20 documents shall be *prima facie* evidence of their own genuineness and shall be taken and considered to be in all respects what they respectively purport to be, either before any Court of Justice or before the College of Physicians and Surgeons of Lower Canada,) shall be 25 sufficient to entitle such person to a license as aforesaid.

Proviso: as to proof of Diploma, &c.

How the fact of the applicant's having practised shall be ascertained.

IV. And be it enacted, That it shall be lawful for any person entitled to a license as hereinbefore mentioned, to establish the fact of his having practised Physic, Surgery and Midwifery in that portion of this Province heretofore 30 Lower Canada, at any particular period or for any length of time, by making oath to such fact or facts before any Justice of the Peace in this Province, and such Justice of the Peace is hereby authorized and required to administer such oath if requested to do so. 35

Action given against the College to persons entitled to a license under this Act and refused.

V. And be it enacted, That it shall be lawful for any person who shall be entitled to receive a license to practise Physic, Surgery and Midwifery under this Act, if the College of Physicians and Surgeons of Lower Canada shall refuse to grant him a license to practise as aforesaid 40 after his having made application therefor and having conformed to the requisitions of the preceding sections of this Act, to institute an action in the Superior Court against the College of Physicians and Surgeons of Lower Canada, setting forth the several facts which so entitle 45 him to a license as aforesaid, and praying relief in the premises; and it shall be competent for the Superior Court, upon due proof being made of the said facts, by its judgment to declare such person entitled to a license to practise Physic and Surgery and Midwifery within Lower 50 Canada, and to award the costs of such action in favor of the plaintiff, against the College of Physicians