

State vs. Yegge, 19 S.D., 234; 103 N.W.R., 17

Little vs. State, 60 Neb., 749; 51 L.R.A., 717.

Witty vs. State, 90 N.E. 62; 25 L.R.A. N.S., 1297.

Parks vs. State, 159 Ind., 211; 59 L.R.A., 190.

O'Neill vs. State, 115 Tenn., 427; 3 L.R.A. (N.S.), 762.

State vs. Smith, 33 L.R.A. (N.S.) 179 (Mo.).

State vs. Boswell, 40 Neb., 158.

State vs. Edmunds, 101 N.W.R. (Ia.), 431.

Perhaps it would be useful to specially refer to the Bragg case. At page 929 it is said:

"Thus it is made clear, both by definitions and history, that the word 'medicine' has a technical meaning, is a technical art or science, and as a science the practitioners of it are not simply those who prescribe drugs or other medicinal substances as remedial agents, but that it is broad enough to include, and does include, all persons who diagnose disease and prescribe or apply any therapeutic agent for its cure."

And in the Alcutt case, above cited, at page 680 it is said:

"To confine the definition of the words 'practice of medicine' to the mere administration of drugs or the use of surgical instruments would be to eliminate the very corner-stone of successful medical practice, namely, the diagnosis. It would rule out of the profession those great physicians whose work is confined to consultation, the diagnosticians, who leave to others the details of practice."

"Section 146 (page 1543) of the public health laws provides that persons desiring to practise medicine must pass a regent's examination, made up of suitable questions for thorough examination in anatomy, physiology, and hygiene, chemistry, surgery, obstetrics, pathology, and diagnosis and therapeutics, including practice and materia medica. Diagnosis, therefore, would seem to be an integral part of both the study and practice of medicine, so recognized by the law as well as common sense. The correct determination of what the trouble is must be the first step for the cure thereof. It is a well-known fact that the disease popularly known as consumption may, if discovered in time, be arrested, if not entirely eradicated from the system by open-air treatment in the proper climate, and that in such cases the use of drugs has been practically given up. Would the physician in such cases who by his skill discovered the incipient disease, advised the open-air treatment, and refrained from administering drugs, not be practising medicine? It may be difficult by precise definition to draw the line between where nursing ends and the practice of medicine