

AN ACT

To amend the Law of Upper Canada relative to the practice of Physic and Surgery.

WHEREAS past experience has shewn that penal enactments have not deterred unqualified persons from practising Physic, Surgery, and Midwifery, but, on the contrary, such enactments have often had the effect of preventing benevolent persons, well qualified, from lending their aid to relieve physical suffering, and it is therefore expedient and proper to repeal such penal clauses as may exist in any Acts now in force in Upper Canada in relation to the practice of Physic, Surgery, and Midwifery: Be it therefore enacted, &c., That the sixth and seventh sections of the Act of the Legislature of Upper Canada, passed in the eighth year of the reign of King George the Fourth, and intituled, "An Act to amend the laws regulating the practice of Physic, Surgery, and Midwifery in this Province," shall be and they are hereby repealed.

II. And be it enacted, That no person shall be liable to any criminal prosecution or to indictment for practising Physic, Surgery, or Midwifery without license, except in cases of malpractice, or gross ignorance, or immoral conduct in such practice.

III. And be it enacted, That any person, not being a licensed Physician, or Surgeon, or Midwife, who shall practise, or attempt to practise, Physic, Surgery, or Midwifery, or who shall prescribe for or administer medicines or specifics to or for the sick, shall be liable for damages in cases of malpractice as if such person were duly licensed.

IV. And be it enacted, That any person not being licensed to practise Physic, Surgery, and Midwifery, who shall practise, or profess to practise, Physic, Surgery, or Midwifery, or shall prescribe medicines or specifics for the sick, and shall in any Court having cognizance thereof be convicted of gross ignorance, malpractice, or immoral conduct, shall be deemed guilty of a misdemeanor, and liable to a fine of not less than _____ nor exceeding _____ or to imprisonment in the County Gaol not less than _____ months, nor exceeding _____ months, or both, in the discretion of the Court.

V. And be it enacted, That this Act shall apply only to Upper Canada.

[For P. S., see page 130.]

COLLEGE OF PHYSICIANS AND SURGEONS OF LOWER CANADA.

THE semi-annual meeting of the Board of Governors was held at Montreal on the 13th ultimo, when the eleven gentlemen who had received the degree of M. D. at McGill College, on the 8th, were duly sworn upon their diplomas, and received the license of the College. Ten gentlemen underwent examination for the College license, and obtained it, and five were rejected. Nine young gentlemen passed the preliminary examination, and were admitted to enter upon the study of medicine, and three were refused.

"IGNORANCE OF FRENCH AND ENGLISH.—At the late semi-annual meeting of the Board of Governors of the College of Physicians and Surgeons of Lower Canada, two young gentlemen were refused admission to the study of medicine, —the one, a Canadian, for ignorance of the English language,—the other, of