

years, or until their successors are appointed. The examiners so appointed shall go before a district or county judge, and make oath that they are graduates of legally chartered medical colleges in good standing, and that they will faithfully perform the duties of their office. All vacancies caused by removal, death, resignation or otherwise, shall be filled by appointment by the Governor, within one month from the time that the vacancy shall occur.

Sec. 2. Said board shall organize immediately after the passage of this act by selecting from its members a president, and secretary and treasurer, and shall have a seal and attest its official acts under seal. The president of said board shall have authority to administer oaths, and the board shall take testimony in all matters relating to its duties. Said board shall have the power to issue certificates to all who furnish satisfactory proof of having received degrees or licenses from chartered medical colleges in good and legal standing, and pass a satisfactory examination before said board. Said board shall prepare two forms of certificates, one for persons examined and favorably passed upon by the board, the other for persons as provided for in section 11 of this act, and shall furnish to the county recorder of the several counties a list of all persons residing in said county receiving certificates from the board. Certificates shall be signed by all the members of the board granting them, and shall indicate the medical society from which the board has been appointed.

Sec. 3. The fee for the examination and certificate as provided for in Section 2 of this Act shall be twenty-five dollars, which shall be paid to the treasurer of the Board of Examiners.

Sec. 4. Graduates of respectable medical colleges who are at this time engaged in actual practice in this Territory shall be licensed to practice medicine under this Act upon presentation of their degree to said board and upon producing satisfactory evidence of the identity of said applicant. The fee for such license shall be five dollars, to be paid to the treasurer of the Board of Examiners. The secretary of the board shall enter, without fee, upon the register to be kept by him, the names of all persons to whom licenses are issued as physicians and surgeons.

Sec. 5. Every person holding a certificate from said board shall have it recorded in the office of the recorder of the county in which he resides, within three months from its date, and the date of record shall be endorsed thereon. Until such certificate is recorded as herein provided, the holder thereof shall not exercise any of the privileges conferred therein to practice medicine. Any person removing to another county to practice medicine shall record the certificate in like manner in the county to which he removes, and the holder of the certificate shall pay the recorder the usual fees for recording other papers.

Sec. 6. The county recorder shall keep in a book provided for the purpose a complete list of the certificates recorded by him, with the date of the issue of the certificate; and if the certificate be based upon a degree and examination, he shall record the name of the medical college conferring the degree

and the date thereof. The register of the county recorder shall be open to public inspection during business hours.

Sec. 7. Examinations shall be made wholly or partially in writing.

Sec. 8. The Board of Medical Examiners may refuse to issue the certificates provided for in this act to individuals guilty of unprofessional or dishonorable conduct, the nature of which shall be stated in writing and it may revoke such certificates for like causes, to be stated in writing.

Sec. 9. Any person shall be regarded as practicing medicine within the meaning of this act who shall treat, operate upon or prescribe for any physical ailment of another for a fee, or who shall hold him or herself out by means of signs, cards, advertisements or otherwise, as a physician and surgeon; but nothing in this act shall be construed to prohibit service in case of emergency, or the administration of family remedies, and this act shall not apply to commissioned surgeons of the United States army in the discharge of their official duties, or to visiting physicians in actual consultation.

Sec. 10. Any person practicing medicine or surgery within the Territory without first having obtained a certificate as herein provided for, or contrary to the provisions of this act, shall be deemed guilty of a misdemeanor.

Sec. 11. All persons not graduates of medical colleges who have practiced medicine ten years continually in this Territory, prior to the taking effect of this act, shall, upon proper application, and payment of the fee for examination as provided for in section 3 of this act, accompanied by a petition signed by twenty-five legal voters, living in the city or precinct where such applicant practices, be admitted to examination before the Board of Medical Examiners, and, if satisfactory, shall receive such certificate, unless it shall be ascertained and determined by the Board of Medical Examiners that the person so applying for a certificate is of immoral character, or guilty of unprofessional or dishonorable conduct, in which case said board may reject such application, and, provided that such application for a certificate shall be made within six months after the taking effect of this act; and all persons holding a certificate on account of ten years practice shall be subject to all the requirements and discipline of this act in regard to their future conduct in the practice of medicine, the same as all other persons holding certificates. And all persons not having applied for or received such certificates within six months after the taking effect of this act, and all persons whose applications have, for cause herein named, been rejected or certificates revoked, shall, if they practice medicine, be deemed guilty of practicing in violation of law, and shall suffer the penalties herein provided.

Sec. 12. All persons practicing obstetrics in this Territory shall, within three months after the passage of this act, apply to the board of examiners for a certificate, and after passing a proper examination shall be entitled to the same upon paying to the treasurer of said board the sum of ten dollars, to be

applied towards defraying the expenses of said board. Any person practicing obstetrics in this Territory without first obtaining the license herein provided for, or contrary to the provisions of this act, shall be deemed guilty of a misdemeanor. Provided, That all persons who shall furnish to said board satisfactory evidence, by affidavits or otherwise, of having practiced obstetrics previous to the passage of this act shall receive a license without examination upon the payment of a fee of one dollar. Nothing in this section shall be construed to apply to physicians holding certificates in accordance with this act, or to prohibit service in case of an emergency, or to persons practicing obstetrics in communities where there are no licensed practitioners.

Sec. 13. The Board of Medical Examiners shall meet on the first Monday in January, March, June and September of each year at 10 o'clock a.m., and such other times as the president of the board shall deem necessary. The place of meeting shall be at the Territorial capitol.

Sec. 14. Any member of said board may be removed from office for misconduct in office by a two-thirds vote of all the members of the board; but no member shall be removed until after he has been given a trial before said board.

Sec. 15. The term "respectable medical colleges" in this act shall include colleges in legal standing of any recognized school of medicine.

Approved March 10, 1892.

DEATH OF ELDER JACOB GATES.

Our readers will not be surprised to learn that Elder Jacob Gates, senior member of the Presiding Council of the Seventies, breathed his last at his residence in Provo, at 11:45 p. m. April 14th, 1892. For the following data in relation to the career of the deceased we are indebted to Brother John M. Whitaker, secretary of the Seventies:

"Jacob Gates was born on the 9th of March, 1811, in St. Johnsbury, Caledonia County, State of Vermont. His father's name was Thomas, his mother's name, Patty Plumbly. His father was a farmer, and during the early period of Brother Gates' life he worked on the farm. He also worked at the carpenter and joiner trade, and his education was confined to a limited period. He married Mellicie M. Snow, daughter of Levi Snow and Lucinia Streeter, on the 16th of March, 1833, and on the 18th of June, 1833, he was baptized a member of the Church of Jesus Christ of Latter-day Saints by Orson Pratt, and was confirmed a member of the Church the same day by Zerubbabel Snow.

On the 11th of April, 1834, with his young wife, he left his father's house for Missouri, where he arrived on June 30th, 1834, and located seven miles west of Liberty, Clay county, which was quite a small village at that time. While here Brother Gates was invited to go with Caleb Baldwin upon a mission, on which he left on the 25th of January, 1836. On the 18th of February, 1836, at Flat Branch, Sangano county, Ill., he was ordained an Elder in the Church under the hands of Elder Baldwin, and on the