

THE MEDICAL LAW.

Following is the full text of what is now the medical law of this Territory, copied from the original filed in the office of the Secretary:

An Act regulating the practice of medicine in the Territory of Utah.

Be it enacted, etc.

SECTION 1. That upon the passage of this act, the Governor of this Territory shall, by and with the advice and consent of the Council, appoint biennially a board of seven medical examiners from the various recognized schools of medicine, who shall hold office for two years, or until their successors are appointed and qualified. The examiners so appointed shall go before a district or probate 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, a secretary and a 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 diplomas from chartered medical colleges in good standing, and pass a satisfactory examination before said board. Said board shall prepare two forms of certificates, one for persons duly holding certificates, examined and favorably passed upon by said 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.

Sec. 3. The fee for examination, as provided for in Sec. 2 of this act, shall be fifteen dollars, which shall be paid to the treasurer of the board of examiners.

Sec. 4. Graduates of respectable medical colleges, who were engaged in actual practice in this Territory prior to March 10, 1892, shall be licensed to practice medicine under this act, upon presentation of their diploma 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. All persons not graduates of medical colleges, who have practiced medicine for five years continually in this Territory, prior to the passage of this act, shall, upon producing to the board of medical examiners a proper application, accompanied by a petition signed by twenty-five legal voters living in the city or precinct where such applicant practices, on payment of a fee of five dollars, receive a (certificate) license to practice medicine in the city, county or precinct where the signers of the applicant's petition re-

side. No non-graduate so licensed shall, however, in any way advertise as a doctor, physician or surgeon, but shall, if he advertises at all, do so as a licensed non-graduate practitioner of medicine. 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 or surgeons.

Sec. 5. Every person holding a certificate from the 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 that 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, and the board of medical examiners may refuse to issue certificates provided for in this act to individuals guilty of immoral or dishonorable conduct, the nature of which shall be stated in writing, and it may revoke such certificate for like causes. In all cases of refusal or revocation the applicant may appeal to the chief justice of the Territory, who may affirm or overrule the decision of the board.

Sec. 8. 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 or surgeon, but nothing in this act shall be construed to prohibit services in cases 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 the act of consultation.

Sec. 9. Any person practicing medicine or surgery within the Territory without having first obtained a certificate as herein provided for, or contrary to the provision of this act, shall be deemed guilty of a misdemeanor.

Sec. 10. All persons not graduates of medical colleges, who have practiced medicine in this Territory less than five years prior to the taking effect of this act, shall, upon proper application, 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 a certificate. 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. 11. All persons desiring to practice obstetrics in this Territory shall 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 five dollars, to be applied towards defraying the expenses of said board. Any person practicing obstetrics within this Territory without first obtaining the license herein provided for, contrary to the provisions of this act, shall be guilty of a misdemeanor. Provided, that all persons who shall furnish to said board satisfactory evidence, by affidavit 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 emergency, or to persons practicing obstetrics in communities where there are no licensed practitioners, or prohibiting a fee therefor.

Sec. 12. The board of medical examiners shall meet on the first Monday in January, April, July and October 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 capital.

Sec. 13. Any member of said board may be removed 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. 14. The term "medical college" in this act shall include colleges in good standing in the states where they exist.

Sec. 15. Nothing in this act shall be deemed to require persons now holding certificates from the territorial board of examiners to make application for license.

Sec. 16. Moneys received under this act may be applied in defraying the expenses of said examining board.

Sec. 17. All acts and parts of acts in conflict with this act are hereby repealed.

Sec. 18. This act shall take effect from its approval.

Approved March 8th.

THE ESTRAY LAW.

The following is a compilation of all the provisions of law now in force relative to the disposal of stray animals and trespass and damage done by them. An act upon this subject was passed in 1892, consisting of fourteen sections, and at the last Legislature another act was passed, which is entitled: "An Act to amend an act entitled An Act providing for the disposal of stray animals and for trespass