

THE
ACT OF INCORPORATION

AND

SUPPLEMENTARY ACTS,

WITH THE

BY-LAWS AND FEE TABLE

OF THE

Medical & Chirurgical Faculty

OF MARYLAND,

TO WHICH IS ADDED

THE CODE OF ETHICS of the NATIONAL MEDICAL CONVENTION.

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1870.

MEDICAL AND CHIRURGICAL FACULTY

OF MARYLAND.

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ACT OF INCORPORATION.

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An ACT to establish and incorporate a Medical and Chirurgical Faculty, or Society, in the State of Maryland. ^{Passed Jan. 20, 1799.}

WHEREAS it appears to the General Assembly of Maryland, that the establishment and incorporation of a Medical and Chirurgical Faculty, or Society of Physicians and Surgeons, in the said State, will be attended with the most beneficial and salutary consequences, by promoting and disseminating medical and chirurgical knowledge throughout the State, and may in future, prevent the citizens thereof from risking their lives in the hands of ignorant practitioners or pretenders to the healing art, therefore, Preamble.

II. BE IT ENACTED by the General Assembly of Maryland, that Persons incorporated, &c.
Gustavus Brown, William Lansdale, Barton Tabbs, Elijah Jackson and William H. Roach, of *St. Mary's County*; James M. Anderson, jr., Morgan Brown, jr., Edward Scott, Robert Geddes and Edward Worrel, of *Kent county*; Charles Alexander Warfield, Richard Hopkins, Wilson Waters, Thomas Noble Stocket and William Murray, of *Anne Arundel County*; Thomas Bourne, Thomas Parran, Joseph Ireland, Daniel Rawlings and James Gray, of *Calvert county*; John Parnham, Gustavus Richard Brown, Daniel Jenifer and Gerard Wood, of *Charles county*; Thomas Craddock, Thomas Love, John Cromwell, Philip Trapnell and Christopher Todd, of *Baltimore county*; Perry E. Noal, Stephen Theodore Johnson, Tristram Thomas and Ennalls Martin, of *Talbot county*; Levin Irvin, Arnold Elsey, Ezekiel Haynie, John Woolford and Mathias Jones, of *Somerset county*; Edward White, James Sullivane, Dorsey Wyvill, William Hays and Howes Goldsborough, of *Dorchester county*; Abraham Mitchell, William Miller, Elisha Harrison, John Groome and John King, of *Cecil county*; Richard I. Duckett, William Beams, jr., William Marshall, William Baker and Robert Pottinger, of *Prince George's county*; Upton Scott, James Murray, John Thomas Shaaff and Reverdy Gheslin, of *the City of Annapolis*; James Davidson, John Wells, Samuel Thompson, Robert Goldsborough and John Thomas, of *Queen Anne's county*; John Neille, Thomas Fosset, George Wshington Purnell, John Purnell and John Hartor, of *Worcester county*; Philip Thomas, Francis Brawn Sappington, William Hyllory, John Tyler and Joseph Sim Smith, of *Frederick county*; John Archer, Thomas H. Birkhead,

Persons incorporated, &c. Elijah Davis and Thomas Archer, of *Harford county*; Jesse Downes, John Young, jr., William B. Keene, Joseph Price and Henry Helm, of *Caroline county*; George Buchanan, Lyde Goodwin, Ashton Alexander, Arthur Pue, Daniel Moores and Henry Stevenson, of the *City of Baltimore*; Richard Pindell, Samuel Young, Peter Waltz, Jacob Schnively and Zachariah Clagett, of *Washington county*; Edward Gannt, Charles Worthington, Joseph Hall, Zadock Magruder, jr., James Anderson and Charles A. Beatty, of *Montgomery county*; Benjamin Murrow, James Forbes, and George Lynn, of *Alleghany county*; and such persons as they may from time to time elect, and their successors, are hereby declared to be one community, corporation and body politic for ever, by and under the name and title of the MEDICAL AND CHIRURGICAL FACULTY OF THE STATE OF MARYLAND, and by and under the same name and title, they shall be able and capable in law to purchase, take, have and enjoy, to them and their successors, in fee, or for lease estate or estates, any lands, tenements, rents, annuities, chattels, bank stock, registered debts, or other public securities within this State, by the gift, bargain, sale, or devise of any person or persons, bodies politic or corporate, capable to make the same, and the same at their pleasure to alien, sell, transfer, or lease, and apply to such purposes as they may adjudge most conducive to the promoting and disseminating medical and surgical knowledge, or to alleviating the calamities and miseries of their fellow citizens: *Provided*, nevertheless, that the said faculty or body politic, shall not, at any one time, hold or possess property, real, personal, or mixed, exceeding in total value the sum of ten thousand dollars per annum.

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First Meeting to be at Annapolis, &c.

III. AND BE IT ENACTED, That the members of the said faculty above designated, may and shall hold their first meeting in the city of Annapolis, on the first monday in June next, or as soon thereafter as a number, not less than fifteen of them, can be convened; at which meeting they may appoint a president, a secretary and treasurer, make a common seal and may elect into their body such medical and chirurgical practitioners within this State, as they may deem qualified to become members of the faculty.

Faculty to elect twelve persons, &c.

IV. AND BE IT ENACTED, That it shall and may be lawful for the said medical faculty, or any number of them attending, (not less than fifteen,) to elect by ballot, twelve persons of the greatest medical and chirurgical abilities in the State, who shall be styled the *Medical Board of Examiners* for the State of Maryland, seven of whom shall be residents of the Western, and five of the Eastern Shore of Maryland, whose duty it shall be to grant licenses to such medical and chirurgical gentleman as they, either upon a full examination, or upon the production of diplomas from some respectable college, may judge adequate to commence the practice of the medical and chirurgical arts, each person so obtaining a certificate, to pay a sum not exceeding ten dollars, to be fixed on or ascertained by the faculty.

Five examiners to be a Board, &c.

V. AND BE IT ENACTED, That any five of the examiners appointed for the Western, and any three of those appointed for the Eastern Shore, shall constitute a board, on their respective shores, for examining such candidates as may apply on the said shores respectively, and shall subscribe their names to each certificate by them granted,

which certificate shall be also countersigned by the president of the faculty, and have the seal of the faculty affixed thereto by the secretary, upon the payment into the hands of the treasurer, the sum of money to be ascertained as above, by the faculty; and any one of the said examiners may grant a license to practice until a board in conformity to this act, can be held.

VI. AND BE IT ENACTED, That after the appointment of the aforesaid Medical Board, no person, not already a practitioner of medicine or surgery, shall be allowed to practice in either of the said branches, and receive payment for his services, without having first obtained a license, certified as by this law directed, under the penalty of *fifty dollars* for each offence, to be recovered in the county court, where he may reside, by bill of presentment and indictment, one-half for the use of the faculty and the other for that of the informer.

No person to practice without a license, &c.

VII. AND BE IT ENACTED, That every person, who, upon application, shall be elected a member of the Medical Faculty, shall pay a sum not exceeding ten dollars, to be ascertained by the faculty.

Persons to pay, &c.

VIII. AND BE IT ENACTED, That the Medical Faculty be, and they are hereby empowered from time to time, to make such by-laws, rules and regulations, as they may find requisite, to break or alter their common seal, to fix the times and places for their general meetings, for the meetings of the Board of Examiners, the modes and times of electing officers, filling up vacancies in the Medical Board, and to do and perform such other things as may be requisite for carrying of this act into execution, and which may not be repugnant to the constitution and laws of this State or the United States.

Faculty to make by-laws, &c.

A Supplement to an Act, entitled, An Act to establish and incorporate a Medical and Chirurgical Faculty, or Society, in the State of Maryland. Passed 1801.

I. BE IT ENACTED, by the General Assembly of Maryland, That from and after the passage of this act, no person who is not already a practitioner of medicine or surgery, within this State, shall be allowed to practice in either of the said branches, and receive payment for the same, without first having obtained a license agreeably to the original act to which this is a supplement, under the penalty of fifty dollars for each offence, to be recovered in the county court where the offence is committed, by presentment and bill of indictment, one-half for the use of the faculty, and the other for the informer.

No person to practice medicine or surgery without a license, &c.

II. AND BE IT ENACTED, That nothing herein contained, shall extend, or be construed to extend to prohibit any person, during his actual residence in any other of the United States, and who, by the laws of the State where he doth or may reside, is not prohibited from practicing in either of the above branches, from practicing in this State, within fifteen miles from the residence of such practitioner: *Provided, always*, that it shall and may be lawful for any person

Not to extend to certain persons.

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resident as aforesaid, and not prohibited as aforesaid, when specially sent for, to come into any part of this State, and administer or prescribe medicine, or perform any kind of surgical operation for the relief of such to whose assistance he may be sent for.

Passed Feb-
5, 1819. *An additional Supplement to the Act, entitled, An Act to establish and incorporate a Medical and Chirurgical Faculty, or Society, in the State of Maryland.*

Supplemen-
tary Act of
1815 repealed I. AND BE IT ENACTED, *by the General Assembly of Maryland,* That an act, entitled, An Act supplementary to an Act for establishing a Medical and Chirurgical Society in the State of Maryland, passed at December session, eighteen hundred and sixteen, be and the same is hereby repealed.

No person
residing out
of the State
to practice
therein, &c. II. AND BE IT ENACTED, That no person residing out of this State, shall be permitted to practice medicine or surgery without being subject to the same regulations, and liable to the same penalties imposed on persons resident in this State, any law to the contrary notwithstanding.

Passed Feb.
19, 1822. *A further additional Supplement to an Act, entitled An Act to establish and incorporate a Medical and Chirurgical Faculty, or Society, in the State of Maryland.*

Persons or
firms autho-
rized to prac-
tice medi-
cine, &c. I. AND BE IT ENACTED, *by the General Assembly of Maryland,* That from and after the passage of this act, no person or persons not authorized to practice medicine and surgery by the laws of this State, and that no firm or company, associated for the purpose of practicing medicine or surgery, or both, in this State, when one or more of the persons, partners of said firm or company, is or are not authorized by the laws of this State to practice medicine and surgery, shall have power to recover any fees, or other remuneration, for any medicine given or disposed of, or for any services rendered or performed in the practice of medicine or surgery, or both, in any of the courts of law, or before any justice of the peace of this State; *provided,* that the defendant shall give ten days notice to the plaintiff or his attorney, that he intends to dispute the claim.

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Persons au-
thorized to
practice, not
to associate
in firm with
those that
are not. II. AND BE IT ENACTED, That no person or persons not authorized to practice medicine and surgery by the laws of this State, shall be permitted to practice medicine or surgery, or both, in the name or as the partners of any other person or persons whatsoever; and that no person or persons, authorized to practice medicine and surgery in this State, shall be permitted to associate with any person or persons not authorized to practice medicine and surgery, in this State, for the purpose of practicing medicine or surgery, or both, under the penalty of fifty dollars, to be recovered and applied as directed by the act to which this is an additional supplement; *provided, always,* that

Proviso.

nothing herein contained shall be construed to prevent any *bona fide* student of medicine, actually attached to the office of an authorized practitioner or practitioners of medicine and surgery, from aiding or assisting his or their preceptor or preceptors, nor such preceptor or preceptors from recovering fees, or other remuneration, for services rendered or medicines given by such student or students, agreeably to the laws of this State.

III. AND BE IT ENACTED, That it shall be the duty of the judges of the several county courts of this State, and of Baltimore city court, to give the act, entitled, An Act to incorporate a Medical and Chirurgical Society or Faculty in the State of Maryland, and the several supplements thereto, in charge to the grand juries of their respective courts.

Judges to
give the acts
in charge.