

STATUTE II.

July 7, 1838.

CHAP. CCLIX. — *An Act to revive with amendments, an Act to incorporate the Medical Society of the District of Columbia.*"

*Be it enacted, &c.,* That Frederick May, M. D., Alexander McWilliams, Henry Hunt, M. D., N. P. Causin, M. D., William Jones, Richmond Johnson, Thomas Sewall, M. D., George W. May, M. D., Nicholas W. Worthington, M. D., James Reily, M. D., James S. Gunnell, M. D., Harvey Lindsley, M. D., James C. Hall, M. D., Thomas Miller, M. D., James Borrowes, M. D., Alexander McD. Davis, M. D., Benjamin King, M. D., Noble Young, M. D., H. F. Condict, M. D., W. B. Magruder, M. D., Perry Warfield, M. D., J. B. Blake, M. D., and such other persons as they may, from time to time, elect, and their successors, are hereby declared to be a community, corporation, and body politic, for ever, or until Congress shall by law, direct this charter to cease and determine, by and under the name and title of the Medical Society of the District of Columbia; 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 land, tenements, rents, annuities, chattels, bank stock, registered debts, or other public securities within the District, by the gift, bargain, sale, demise, or 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, and for no other purpose whatever: *Provided, nevertheless,* That the said society or body politic shall not at any one time, hold or possess property real, personal, or mixed, exceeding in total value the sum of six thousand dollars per annum.

F. May and others incorporated as the Medical Society of the District of Columbia.

Proviso.

Sec. 2. *And be it further enacted,* That the members of the said society above designated shall hold in the city of Washington two stated meetings in every year, viz: on the first Monday in January and July; the officers of the society to consist of a President, two Vice-Presidents, one Corresponding Secretary, one Recording Secretary, one Treasurer, and one Librarian, who shall be appointed on the first Monday in July, one thousand eight hundred and thirty-eight, and on the annual meeting in January for ever thereafter, and who shall hold their offices for one year, and until others are chosen in their stead, (not less than seven members being present at such meeting;) and the society may make a common seal, and may elect into their body such medical and chirurgical practitioners, within the District of Columbia, as they may deem qualified to become members of the society; it being understood, that the officers of the society now elected are to remain in office until the next election after the passage of this act.

Stated meetings.

Officers.

Sec. 3. *And be it further enacted,* That it shall and may be lawful for the said medical society, or any number of them attending, (not less than seven,) to elect by ballot five persons, residents of the District of Columbia, whose duty it shall be to grant licenses to such medical and chirurgical gentlemen as they may, upon a full examination, judge qualified to practise the medical and chirurgical arts, or as may produce a diploma from some respectable medical college or society, each person so obtaining a certificate to pay a sum not exceeding ten dollars, to be fixed on, or ascertained, by the society.

Society may elect a board of examiners, &c.

Sec. 4. *And be it further enacted,* That any three of the examiners shall constitute a board for examining such candidates as may apply, and shall subscribe their names to each certificate by them granted, which certificate shall also be countersigned by the President of the society, and have the seal of the society affixed thereto by the Secretary, upon paying into the hands of the Treasurer the sum of money to be

Admission of persons to practice.

Proviso.

ascertained as above by the Society; and any one of the said examiners may grant a license to practise, until a board, in conformity to this act, can be held: *Provided*, That nothing herein contained shall authorize the said corporation in any wise, to regulate the practice of medical or chirurgical attendance on such persons as may need those services, nor to establish or fix a tariff of charges or fees for medical attendance or advice, or to interfere, in any way, with charges or fees for medical attendance or advice.

Persons not allowed to practise, &c., without a license or diploma.

SEC. 5. *And be it further enacted*, That after the appointment of the aforesaid medical board, no person, not heretofore a practitioner of medicine or surgery within the District of Columbia, shall be allowed to practise within the said district, in either of said branches, without first having obtained a license, testified as by this law directed, or the production of a diploma from a respectable medical college or board of examiners established by law: *Provided*, That the professors in such college, or the examiners in such board, be men regularly instructed in medicine and surgery, and the collateral branches of medical education, anatomy, chemistry, 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 society, and the other for that of the informer.

Proviso.

New members to pay not exceeding \$10 on admission.

Powers of the society.

SEC. 6. *And be it further enacted*, That every person who, upon application, shall be elected a member of the medical society, shall pay a sum not exceeding ten dollars, to be ascertained by the society.

SEC. 7. *And be it further enacted*, That the medical society be, and they are hereby, empowered, from time to time, to make such by-laws, rules and regulations, as they may find requisite; which by-laws, rules and regulations, shall, in their application and operation, be exclusively confined to said society, as a society or body corporate, and not to its members individually, when not acting in a corporate character; to break, or alter their common seal; to fix the times and places for the meetings of the board of examiners, filling up vacancies in the medical board, and to do and perform such other things as may be requisite for carrying this act into execution, and which may not be repugnant to the constitution and laws of the United States: *Provided, always*, That it shall and may be lawful for any person resident as aforesaid, and not prohibited as aforesaid, when specially sent for, to come into any part of this district and administer or prescribe medicine, or perform any operation for the relief of such, to whose assistance he may be sent for:

Proviso.

Proviso.

*And provided, also*, That nothing in this act contained shall be so construed as to prevent any person, living within or without said district, from administering medicine, or performing any surgical operation, with the consent of the person or the attendants of the person to whom such medicine is administered, or upon whom such surgical operation is performed, without fee or reward, nor to prevent the giving advice or assistance in any way to the sick, or afflicted, upon charity and kindness, nor to prevent the receipt of reward for the same, if voluntarily tendered or made, nor to extend to midwifery by females; and any person, so administering medicine, or performing any surgical operation, not authorized to practise physic and surgery agreeably to the provisions of this act, shall be prohibited from collecting any fee or reward for the same, by any process at law. *And be it further provided*, That no person shall be admitted to an examination, until he shall produce satisfactory evidence that he has studied physic and surgery three years, including one full course of medical lectures as usually taught at medical schools, or four years without such a course of lectures.

Proviso.

Congress may alter or annul this act.

SEC. 8. *And be it further enacted*, That Congress may, at any time, alter, amend, or annul, this act of incorporation of said society at pleasure,

APPROVED, July 7, 1838.