

Statutes of Upper-Canada, Passed in the third session of the seventh provincial parliament (1818).
From *The Provincial Statutes of Upper-Canada, Revised, Corrected, and Republished by Authority*
(York, Samuel Smith, 1818)

58 George III – Chapter 13 (Session 3)

An act to repeal an act passed in the fifty-fifth year of his Majesty's reign, entitled, "An act to license practitioners in physic and surgery throughout this province," and to make further provision for licensing such practitioners. (Passed 27th November, 1818.)

Whereas the provisions of an act of the parliament of this province, passed in the fifty-fifth year of his Majesty's reign, entitled, "An act to license practitioners in physic and surgery throughout this province," have been found to be impracticable; be it enacted by the King's most excellent Majesty, by and with the advice and consent of the legislative council and assembly of the province of Upper Canada, constituted and assembled by virtue of and under the authority of an act passed in the parliament of Great Britain, entitled, "An act to repeal certain parts of an act passed in the fourteenth year of his Majesty's reign, entitled, 'An act for making more effectual provision for the government of the province of Quebec, in North America, and to make further provision for the government of the said province,'" and by the authority of the same, That the above recited act be, and the same is hereby repealed.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government, to constitute and appoint, under his hand and seal at arms, five or more persons legally authorised to practice Physic, Surgery, or Midwifery, in this Province, to be a Board, whereof any three to be a quorum, to hear and examine all persons desirous to apply for a License, to practice Physic, Surgery, and Midwifery, or either of them, within this Province, and being satisfied by such examination that any person is duly qualified to practice Physic, Surgery, and Midwifery, or either, to certify the same, under the hands and seals of two or more of such Board, whereupon the Governor, Lieutenant Governor, or Person administering the Government, being satisfied of the loyalty, integrity, and good morals of such applicant, may, under his hand and seal at arms, grant to him a Licence to practice Physic, Surgery, and Midwifery, or either, conformable to such certificate, Provided always, that nothing in this Act shall extend to prevent any female from practising Midwifery in this Province, or to require such to take out such License as aforesaid, Provided also, That no person duly authorised by any University in His Majesty's Naval or Military service, or who have been heretofore licenced by any Medical Board in this Province, shall be restrained from practising for want of such License, as aforesaid.

III. And be it further enacted by the authority aforesaid, That if any person, not excepted as aforesaid, shall practice Physic, Surgery, or Midwifery within this Province, without such Licence, he shall for every such offence, forfeit and pay the sum of one

hundred pounds, to be recovered in His Majesty's Court of King's Bench, by action of debt, bill, plaint, or information, one moiety whereof shall be given to the informer, and the other moiety paid into the hands of the Receiver General of this Province, to and for the use of His Majesty, His Heirs and Successors, and to and for the use of this Province, and the support of the Civil Government thereof, to be accounted for to His Majesty through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as it shall please His Majesty to direct, Provided always, That nothing in this Act shall extend to any person who has been resident, practicing Physic, Surgery, and Midwifery, before the first of January, one thousand eight hundred and twelve, until twelve months after the constitution of such board as aforesaid, and notice thereof, and of the time and place of its assembling, be given in the Upper Canada Gazette.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for such board, to ask, demand, and receive, for every such certificate from the person claiming the same, the sum of three pounds ten shillings, and that it shall also be lawful for the private secretary of the governor, lieutenant governor, or person administering the government, to ask, demand, and receive for such license, of and from the person receiving the same, the sum of twenty shillings.

V. (Repealed by 59th Geo. III, 2d session, c 2, s 1.)