

Laws of His Majesty's Province of Upper Canada in North America, passed in the year 1815.
Kingston: Stephen Miles, 1815.

55 George III – Chapter 10

An Act to Licence Practitioners in Physic and Surgery throughout this Province. Passed the 14th March, 1815.

Whereas many inconveniencies have arisen to His Majesty's Subjects in this Province, from unskilful persons practising Physic and Surgery therein— Therefore, be it enacted by the Kings Most Excellent Majesty by and with the Act vice 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, intituled, "*an act to repeal an act passed in the fourteenth year of His Majesty's reign, intituled, "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 no person who shall or may have come into this province since the passing of the above mentioned act, and before the passing of this act, nor any person who shall or may hereafter come into this Province, shall be permitted to prescribe for sick persons, or practice physic, forgery or midwifery within the Province for profit, until such person or persons shall be duly examined as approved of by a Board of Surgeons, who shall be constituted and appointed (as herein after mentioned) with full powers to grant licences for the practice of physic, forgery and midwifery, within the Province, and has received a licence under the hand and seal of the President of the said board, and countersigned by the Clerk of said Board, which clerk the President of said Board shall and may nominate and appoint.

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 of this Province, by licence under his hand and seal, to order and appoint the senior military medical officer, for the time being, together with the surgeons of His Majesty's regiments, and all staff surgeons, doing duty within the Province, and the surgeons of His Majesty's Navy, and all other surgeons and practitioners resident within the same, authorised to practice physic, surgery and midwifery, by some lawfully constituted power or board in His Majesty's dominions or any two of them, of which the senior medical officer from time to time and as often as occasion may require, to hear and examine all persons that may apply for a licence to practice physic and surgery, or either, within the said Province, who shall when they have examined and approved of any person so applying as aforesaid, grant him a licence under the hand and seal of the President, and countersigned by the clerk of the board aforesaid, for which licence he shall pay the sum or two pounds lawful money, and no more: Provided always, that nothing in this act contained shall extend or be construed to extend to prevent any female from practicing midwifery in any part of this Province, or to require such female to take out such licence as aforesaid.

III. And be it further enacted by the authority aforesaid, That if any person having come into this Province since the passing of the said Act of the thirty first year of His Majesty's reign, and before

the passing of this Act, or shall come into this Province after the passing the same, shall prescribe for sick persons or practice physic surgery or midwifery as aforesaid, until such person shall be duly examined and licenced, by two or more members of the board constituted and appointed as aforesaid, such person shall for every such offence forfeit and pay the sum of one hundred pounds, to be recovered in any of His Majesty Courts in this Province, by action of debt, bill, plaint or information, wherein no ensurer privilege protection or wager of law had be allowed, and only one imparlance, a 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 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 or be construed to extend to an person who shall have taken a degree in any University in His Majesty's dominions, or to any person who shall have been or may hereafter be commissioned or warranted as a surgeon or surgeons mate in His Majesty's army or navy, or to any other who shall or may have practised physic, surgery or midwifery within the Province before the passing of the said act of the thirty first year of His Majesty's reign as aforesaid, hereby repealing all former acts or ordinances made for the regulation of the practice of physic or surgery within this Province.