



ANNO PRIMO

Victoriae Reginae,

No. 17.

By His Excellency SIR JOHN FRANKLIN, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Greek Order of the Redeemer, and a Captain in Her Majesty's Royal Navy, Lieutenant Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council.

AN ACT to regulate the practice of Medicine in this Colony.

WHEREAS an Act was passed in the present Session of the Legislative Council intituled "*An Act to provide for the attendance of Medical Witnesses at Inquests*" wherein it was amongst other things enacted that whenever upon the summoning or holding of any Coroner's Inquest it should appear to the Coroner that the deceased person was not at or immediately before his death attended by any legally qualified Medical Practitioner then it should be lawful for such Coroner to issue a summons for the attendance as a Witness at such Inquest such legally qualified Medical Practitioner in actual practice as should reside nearest to the place where such Inquest was holden. **AND WHEREAS** it has thereby become necessary to declare who shall for the purposes of that

Act be deemed "*a legally qualified Medical Practitioner*" and it is besides expedient for general purposes to regulate the profession and practice of Medicine in this Island and its Dependencies.

BE IT THEREFORE ENACTED by His Excellency Sir John Franklin Lieutenant Governor of the Island of Van Diemen's Land and its Dependencies with the advice of the Legislative Council that no person from and after the first day of January next shall either for the purposes of the Act intituled "*An Act to provide for the attendance of Medical Witnesses at Inquests*" or for any other purpose whatever be deemed a legally qualified Medical Practitioner unless such person shall have proved to the satisfaction of the President or any one Member of a Court of Examiners to be hereafter appointed that he is a Doctor of Medicine of some University or a Physician Surgeon or Apothecary licensed or admitted as such by some College of Physicians or Surgeons or by the Society of Apothecaries of London or Dublin or unless he shall have obtained after an examination publicly held before at least three Members of such Court of Examiners letters testimonial to practice as a Physician Surgeon and Apothecary and any person who shall without such license or admission practice in any case either in his own name or in the name of any other person as a Physician Surgeon or Apothecary shall for every such offence forfeit and pay a penalty or sum of not less than Ten Pounds nor more than Fifty Pounds to be recovered in a summary way before any two Justices of the Peace and every proceeding under this Section shall be had before such Justices and every such penalty shall be awarded levied and distributed and the party convicted be entitled to appeal in the manner respectively provided by the Act intituled "*An Act to regulate summary proceedings before Justices of the Peace.*"

II.—AND BE IT ENACTED that the Court of Examiners who shall be and they are hereby authorised to grant letters testimonial as aforesaid shall be appointed by the Lieutenant Governor of this Colony for the time being and shall consist of seven Members one of whom shall be the President.

III.—AND BE IT ENACTED that from and after the first day of January in the year one thousand eight hundred and forty the power of the said Court of Examiners shall cease and be determined as to the granting letters testimonial save and except in the instances hereinafter mentioned.

IV.—AND BE IT ENACTED that from and after the first day of January in the year one thousand eight hundred and forty the Court of Examiners as aforesaid shall not admit candidates for letters testimonial unless the applicant has conformed to the course of education hereafter to be prescribed by the said Court of Examiners.

V.—AND BE IT ENACTED that it shall be lawful for the said Court of Examiners previously to granting these latter letters testimonial

to require the candidate to produce a certificate from at least two Members of the Court of Examiners that he has previously to his being admitted as an apprentice to a Surgeon or Apothecary passed such examination including the Greek and Latin languages as the Court of Examiners shall by a bye-law—for such purpose to be made—declare sufficient and also to require the candidate to exhibit his indenture of apprenticeship together with a certificate signed by the legally qualified Medical Practitioners to whom he has been indentured that he fully and perfectly served such apprenticeship for the term of five years. And also that he should produce such certificates of attendance at Hospitals as the Court of Examiners shall by any bye-laws which they may from time to time make require. *Provided* that all such bye-laws as are hereinbefore referred to shall be subject to the approbation of the Lieutenant Governor.

VI.—AND BE IT ENACTED that it shall be lawful for any legally qualified Medical Practitioner to receive as his pupil any person not under the age of sixteen years who shall have undergone the preliminary stage of examination before mentioned.

VII.—AND BE IT ENACTED that it shall be lawful for the said Court of Examiners to determine what reasonable fees shall be paid by candidates for Letters Testimonial and also for admission as the Apprentice of any legally qualified Medical Practitioner and to make such regulations in respect to the time of the payment of such fees as they may think fit.—*Provided* that the amount of all such fees as well for Letters Testimonial as for admission to Apprenticeship shall be subject to the approbation of the Lieutenant Governor.

VIII.—AND BE IT ENACTED that nothing in this Act shall be taken to extend to any person who has been in practice as a Physician Surgeon or Apothecary in this Island or its Dependencies during the space of two years from the passing of this Act except so far as the taking of any Apprentice as hereinbefore provided is concerned.

IX.—AND BE IT ENACTED that all sums received for fees for Letters Testimonial and for the examination of Candidates under this Act shall from time to time be applied in aid of the Colonial Revenue towards the support either of an Anatomical Museum or of any other institution for the advancement of Medical science to which the Lieutenant Governor may think fit to appropriate the same. Appropriation.

JOHN FRANKLIN,

Passed the Legislative Council this
twenty-seventh day of November One
thousand eight hundred and thirty-
seven.

ADAM TURNBULL.

Clerk of the Councils.

AN ACT

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