

or writ of error, in the same manner as provided in sections sixty-seven (67) and seventy (70) of this act, for appeals to said appellate court: *Provided*, That such appeal may be prayed for at any time within twenty (20) days after the rendition of such judgment, order or decree, whether such appellate court be in session or not; and if such appeal be prayed for in vacation, any one or more of the judges of such appellate court may make and sign all orders necessary for the perfecting of such appeal, and the clerk shall enter up such orders as part of the record in the cause: *And provided, further*, That in all cases where the judgment, order or decree is for the recovery of money only, if the judgment, order or decree of the inferior or appellate court be affirmed by the Supreme Court, or the appeal or writ of error be dismissed, the Supreme Court may enter judgment against the appellant or plaintiff in error for damages, not exceeding ten (10) per centum on the amount of the judgment recovered, and shall award execution therefor as on other judgments.

§ 91. [SUPREME COURT TO MAKE RULES.] It shall be the duty of the Supreme Court to direct by general rule what portions of and the manner in which the records of the Appellate Court shall be made up and certified in cases removed from such Appellate Courts to the Supreme Court by appeal or writ of error, except as otherwise provided in section eighty-eight (88) aforesaid.

§ 3. [REPEAL.] All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED June 2, 1877.

PRACTICE OF MEDICINE.

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| <ul style="list-style-type: none"> 1. Persons practicing medicine—Board—Qualification, etc. 2. Appointment of board of examiners. 3. Organization—Duties—Powers. 4. Examination—Costs. 5. Examination by boards. 6. Certificates to be recorded. | <ul style="list-style-type: none"> 7. Books to be kept. 8. Fee for examination. 9. Character of examination. 10. Certificates may be revoked. 11. Who a practicing physician. 12. License—Vendors of Drugs. 13. Penalty for not complying. |
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AN ACT to regulate the practice of medicine in the State of Illinois. Approved May 29, 1877. In force July 1, 1877.

SECTION 1. [PERSONS PRACTICING MEDICINE—BOARD—QUALIFICATIONS—EXAMINATIONS.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That every person practicing medicine, in any of its departments, shall possess the qualifications required by this act. If a graduate in medicine, he shall present his diploma to the State Board of Health if such Board of Health shall be established by law or Board of Examiners herein named, for verification as to its genuineness. If the diploma is found genuine and if the person named therein be the person claiming and presenting the same, the State Board of Health, if such Board of Health be established by law or the Board of Examiners shall issue its certificate to that effect

signed by all of the members thereof, and such diploma and certificate shall be conclusive as to the right of the lawful holder of the same to practice medicine in this State. If not a graduate the person practicing medicine in this State shall present himself before said Board and submit himself to such examinations as the said Board shall require; and, if the examination be satisfactory to the examiners, the said Board shall issue its certificate in accordance with the facts, and the lawful holder of such certificate shall be entitled to all the rights and privileges herein mentioned.

§ 2. [APPOINTMENT OF BOARD OF EXAMINERS.] In case a State Board of Health shall not be established by law then each State Medical Society incorporated and in active existence on the first day of July 1877, whose members are required to possess diplomas or license from some legally chartered medical institution in good standing, shall appoint, annually a Board of Examiners consisting of seven members, who shall hold their offices for one year, and until their successors shall be chosen. The examiners so appointed shall go before a county judge and make oath that they are regular graduates, or licentiates, and that they will faithfully perform the duties of their office. Vacancies occurring in a Board of Examiners shall be filled by the society appointing it by the selection of alternates, or otherwise.

§ 3. [ORGANIZATION—DUTIES—POWERS.] The State Board of Health if such Board of Health shall be established by law, or Board of Examiners shall organize within three months after the passage of this act, they shall procure a seal, and shall receive through their Secretary applications for certificates and examinations, the President of each Board shall have authority to administer oaths and the Board take testimony in all matters relating to their duties, they shall issue certificates to all who furnish satisfactory proof of having received diplomas or licenses from legally chartered medical institutions in good standing, they shall prepare two forms of certificates, one for persons in possession of diplomas or licenses, the other for candidates examined by the Board, they shall furnish to the County Clerks of the several counties a list of all persons receiving certificates. In selecting places to hold their meetings they shall, as far as is reasonable, accommodate applicants residing in different sections of the State, and due notice shall be published of all their meetings. Certificates shall be signed by all the members of the Board granting them, and shall indicate the medical society to which the Examining Board is attached.

§ 4. [EXAMINATION—COSTS.] Said State Board of Health, if such Board of Health shall be established by law, or Board of Examiners shall examine diplomas as to their genuineness, and if the diploma shall be found genuine as represented, the Secretary of the State Board of Health, if such Board of Health shall be established by law, or Board of Examiners shall receive a fee of one dollar from each graduate or licentiate, and no further charge shall be made to the applicants; but if it be found to be fraudulent, or not lawfully owned by the possessor, the Board shall be entitled to charge and collect twenty dollars (\$20) of the applicant presenting such diploma. The verification of the diploma shall consist in the affidavit of the holder and applicant that he is the lawful possessor of the same, and

that he is the person therein named. Such affidavit may be taken before any person authorized to administer oaths and the same shall be attested under the hand and official seal of such officer, if he have a seal. Graduates may present their diplomas and affidavits as provided in this act, by letter or by proxy, and the State Board of Health, if such Board of Health shall be established by law, or Board of Examiners shall issue its certificate the same as though the owner of the diploma was present.

§ 5. [EXAMINATIONS BY BOARD.] All examinations of persons not graduates or licentiates, shall be made directly by the Board, and the certificates given by the Boards shall authorize the possessor to practice medicine and surgery in the State of Illinois.

§ 6. [CERTIFICATE TO BE RECORDED.] Every person holding a certificate from a State Board of Health if such Board of Health shall be established by law, or Board of Examiners shall have it recorded in the office of the clerk of the county in which he resides, and the record shall be endorsed thereon. Any person removing to another county to practice shall procure an endorsement to that effect on the certificate from the County Clerk, and shall record the certificate, in like manner, in the county to which he removes, and the holder of the certificate shall pay to the County Clerk the usual fees for making the record.

§ 7. [BOOK TO BE KEPT.] The County Clerk shall keep, in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the issue and the name of the medical society represented by the State Board of Health, if such Board of Health shall be established by law, or Board of Examiners issuing them. If the certificate be based on a diploma or license, he shall record the name of the medical institution conferring it, and the date when conferred. The register of the County Clerk shall be open to public inspection during business hours.

§ 8. [FEE FOR EXAMINATION.] Candidates for examination shall pay a fee of five dollars (\$5.00) in advance, which shall be returned to them if a certificate be refused. The fees received by the Board shall be paid into the treasury of the medical society by which the Board shall have been appointed, and the expenses and compensation of the Board shall be subject to arrangement with the society.

§ 9. [CHARACTER OF EXAMINATION.] Examinations may be in whole or in part in writing, and shall be of an elementary and practical character, but sufficiently strict to test the qualifications of the candidate as a practitioner.

§ 10. [CERTIFICATES MAY BE REVOKED.] The State Board of Health, if such Board of Health shall be established by law, or Board of Examiners may refuse certificates to individuals guilty of unprofessional or dishonorable conduct, and they may revoke certificates for like causes. In all cases of refusal or revocation the applicant may appeal to the body appointing the Board.

§ 11. [WHO A PRACTICING PHYSICIAN.] Any person shall be regarded as practicing medicine, within the meaning of this act, who shall profess publicly to be a physician and to prescribe for the sick, or who shall append to his name the letters of "M. D." But nothing

in this act shall be construed to prohibit students from prescribing under the supervision of preceptors, or to prohibit gratuitous services in cases of emergency. And this act shall not apply to commissioned surgeons of the United States Army and Navy.

§ 12. [LICENSE—VENDERS OF DRUGS.] Any itinerant vender of any drug, nostrum ointment, or appliance of any kind, intended for the treatment of disease or injury, or who shall, by writing or printing, or any other method, publicly profess to cure or treat diseases, injury, or deformity by any drug, nostrum manipulation or other expedient, shall pay a license of one hundred dollars (\$100) a month, to be collected in the usual way.

§ 13. [PENALTY FOR NOT COMPLYING WITH IT.] Any person practicing medicine or surgery in this State without complying with the provisions of this act, shall be punished by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), or by imprisonment in the county jail for a period of not less than thirty days nor more than three hundred and sixty-five days, or by both such fine and imprisonment for each and every offense; and any person filing or attempting to file, as his own, the diploma or certificate of another, or a forged affidavit of identification, shall be guilty of a felony, and, upon conviction shall be subject to such fine and imprisonment as are made and provided by the statutes of this State for the crime of forgery, but the penalties shall not be enforced till on and after the thirty-first day of December eighteen hundred and seventy-seven; *Provided*, That the provisions of this act shall not apply to those that have been practicing medicine ten years within this State.

APPROVED May 29, 1877.

RAILROAD AND IMPROVEMENT AID BONDS.

§ 1. Limits time for issuing bonds—Exceptions.

AN ACT to amend an act entitled "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State, shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," approved March 17, 1874. Approved May 29, 1877. In force July 1, 1877.

SECTION 1. [LIMITS TIME FOR ISSUING BONDS—EXCEPTIONS.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That an act entitled "An act to limit and determine the time for which counties, cities, townships, towns and precincts in this State, shall be liable and holden to issue aid for the building of any railroad in pursuance of any vote taken in conformity to the laws of this State," approved March 17, 1874, be amended so as to read as follows:

That the liability of all counties, cities, townships, towns or precincts, which have voted aid or donations to or subscriptions to the

LAWS

ARCHIVE
ILLINOIS STATE

OF THE

STATE OF ILLINO

PASSED BY THE

THIRTIETH GENERAL ASSEMBLY

CONVENED JANUARY 3, 1877.

ADJOURNED *Sine Die*, MAY 24, 1877.

PRINTED BY AUTHORITY OF LAW.