

TITLE XVIII.

HEALTH.

Chap. 1....MEDICAL SOCIETIES.

“ 2....CONTAGIOUS DISEASES.

“ 3....MALIGNANT AND INFECTIOUS DISEASES.

CHAPTER I.

MEDICAL SOCIETIES.

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| <ol style="list-style-type: none"> 1. Medical society incorporated. 2. District societies incorporated. 3. Existing societies constituted corporations. 4. Who shall rank as fellows. 5. Society may confer degree of M. D. 6. Examine students and grant diplomas. 7. Purchase and hold real estate. 8. Licensure of candidates. 9. Studies and qualifications required. | <ol style="list-style-type: none"> 10. Duties of physicians and surgeons. 11. How students to be examined. 12. Penalty for practising without license. 13. Copy license, where filed. 14. Pretenders prohibited from practising. 15. Specific exceptions. 16. Patient entitled to bill of particulars. 17. This a public act. |
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An Act to incorporate medical societies, for the purpose of regulating the
practice of physic and surgery in this state. MAR. 269.

Passed January 28, 1830.

WHEREAS, the Medical Society of New Jersey have presented to Preamble.
this legislature, a petition setting forth the inadequacy of their
incorporating act, passed the sixteenth February, eighteen hundred and sixteen, and the supplement to the act passed the tenth
February, eighteen hundred and eighteen—therefore,

1. BE IT ENACTED by the Council and General Assembly of this Name and
style of cor-
poration, and
its powers,
privileges,
etc.
state, and it is hereby enacted by the authority of the same, That
the Medical Society of New Jersey, already incorporated by the
style and name of “the Medical Society of New Jersey,” shall
continue to be a body corporate and politic, in fact and in name,
and by that name, shall be in law capable of suing and being sued,
pleading and being impleaded, answering and being answered unto,
defending and being defended in all courts and places, and in all
matters and causes whatsoever, and shall and may have and use a
common seal, and may change and alter the same at their plea-
sure; and that the said society shall be composed of four delegates,
chosen by and from each of the district societies which now are or
may hereafter be formed in the respective counties of this state, in
equal representation; the officers for the time being shall be ex-

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CHAP. I.

Time of the
annual and
semi-annual
meetings.

Proviso.

District soci-
eties autho-
rized in the
several coun-
ties; their
powers and
privileges.

officio members of the Medical Society of New Jersey, independ-
ently of the authority of delegation; the society thus composed
shall meet on the second Tuesday of May, which is hereby made
the time of annual meeting; there shall also be a semi-annual meet-
ing on the second Tuesday of November, yearly and every year;
the said society, when constituted as aforesaid, shall be authorized
to choose by ballot, a president, three vice presidents, secretary
and treasurer, and such other officers as they may deem necessary;
prescribe their duties, and fix their compensations, and shall make
such by-laws, rules, and regulations, for the due management of
their concerns, as may be necessary; *provided*, the same be not in
any instance, contrary to any law of this state, or of the United
States, or to the constitution of either of them.

2. *And be it enacted*, That the said Medical Society of New
Jersey, whenever applied to for that purpose, or may judge it ex-
pedient, may appoint five licensed physicians or surgeons of skill,
learning and integrity, practitioners and residents in each or any
county in this state, who shall respectively meet at the county town,
in each of the different counties, at such time or times as may be
assigned, and of which due notice shall be given by the Medical
Society of New Jersey, and then and there the said physicians and
surgeons shall form themselves into a society, to be called "the
District Medical Society for the county of —, in the state of
New Jersey," and being so convened, and not less than five in
number, they are hereby constituted a body politic and corporate
in law, capable of suing and being sued, pleading and being im-
pleaded, answering and being answered unto, of defending and
being defended in all courts and places, and in all matters and
causes whatsoever, and shall and may have and use a common seal,
and may change and alter the same at their pleasure; that they are
hereby authorized to fix the times and places of their meetings, if
within the limits of the respective counties, and also to choose a
president, vice president, secretary, and treasurer, and such other
officers as they may deem necessary, prescribe their duties, and
fix their compensations; and shall make such by-laws, rules and re-
gulations, for the due management of their concerns, as may be ne-
cessary; *provided*, the same be not in any instance contrary to any
law of this state, or of the United States, or of the Medical So-
ciety of New Jersey, or to the constitution of either of them; and
it is hereby made the duty of the secretary of each of the county
medical societies to present to the Medical Society of New Jersey,
at any anniversary meeting, immediately succeeding their first
meeting, (and also of all those now in existence, if not already
done) a copy of all their proceedings had at their first meeting;

Proviso.

and the secretary of the Medical Society of New Jersey is hereby required to file the same among the archives of the said society. TIT. XVIII.
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3. *And be it enacted*, That the medical society of counties, already in existence, shall be, and they are hereby constituted bodies corporate and politic, in fact and in name, by the names of the medical society for the county where such societies have respectively been formed, and by that name shall be in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all courts and places, and in all matters and causes whatsoever, and shall and may have a common seal, and may alter and renew the same at their pleasure; and they are hereby authorized and empowered to exercise and enjoy all the privileges and immunities in all matters and things for the due management of their concerns which may be necessary, in the same manner, and as fully as it is set forth in the preceding section, and with the same restrictions. The medical societies of the several counties in the state, now established, constituted bodies corporate and politic.

4. *And be it enacted*, That all physicians who have heretofore been presidents of the Medical Society of New Jersey, the physician who now is, and all physicians who may hereafter be presidents of said society, shall rank as fellows of the Medical Society of New Jersey, and be entitled to all the rights and privileges of delegated members. Who shall rank as fellows.

5. *And be it enacted*, That the Medical Society of New Jersey (including both fellows and delegates) are hereby authorized to institute regulations, which shall again be approved by a majority of the whole number of fellows, acting separately; according to which regulations, the said Medical Society of New Jersey may confer the degree of doctor of medicine. Society may confer the degree of M. D.

6. *And be it enacted*, That the Medical Society of New Jersey, established as aforesaid, is hereby empowered to examine all students who shall and may present themselves for that purpose, and to give diplomas under the hand of the president and seal of the society; which diploma shall be sufficient to empower the person so obtaining the same, to practice physic or surgery, or both, as shall be set forth in the said diploma, in any part of this state. To examine students and grant diplomas.

7. *And be it enacted*, That it shall and may be lawful for the Medical Society of New Jersey, and also the district medical societies of the respective counties of this state, to purchase and hold any estate, real and personal, for the use of said respective societies; *provided*, the annual income of such estate, as well real as personal, which the Medical Society of New Jersey is hereby authorized to hold, shall not exceed the sum of three thousand dollars, and that the annual income of the estate, as well real as personal, which the county societies are hereby respectively authorized to hold, shall not exceed the sum of one thousand dollars. The society and district societies may purchase and hold real estate, etc. Proviso.

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CHAP. I.

How and to whom applications for license to practice made.

Manner of examination.

Certain studies and qualifications required to obtain license.

Provide.

Further duties of physicians and surgeons.

8. *And be it enacted*, That all applications for a license to practice physic or surgery, or both, within any of the counties of this state, shall be made in such manner as the society shall direct; and it shall be the duty of said society, at its annual meetings, to appoint three or more censors, which number, when so appointed, shall be called "the Board of Censors for the Medical Society of New Jersey," from and for each of the following districts, viz: the eastern, which shall be composed of the counties of Sussex, Warren, Morris, Essex, and Bergen; the middle, which shall be composed of the counties of Hunterdon, Somerset, Middlesex, and Monmouth; and the western district, which shall be composed of the counties of Burlington, Gloucester, Salem, Cumberland, and Cape May; four of whom, at least, shall proceed to examine the applicant or applicants carefully and impartially on the subjects of materia medica, pharmacy, chemistry, anatomy, surgery, the practice of physic and midwifery, and he or they shall exhibit a general acquaintance with each of the above subjects, before receiving a certificate; and three approving signatures shall be necessary to make valid each certificate recommending the applicants for license.

9. *And be it enacted*, That no person shall be considered qualified for examination before the board of censors for the Medical Society of New Jersey, unless he shall have studied under the particular direction and preceptorship of a regular practising physician or surgeon, or both, of this state; and the said board shall not proceed to examine any candidate, until he can give satisfactory evidence (and he is hereby required to do the same,) of having arrived to the age of twenty-one years, studied under the direction of a regular and licensed practitioner of medicine as aforesaid, the term of four years, and attended at least one course of medical lectures; but if he shall have obtained a diploma from any college, then three years study, including a course of lectures, shall be considered sufficient; *provided*, this act, or any section of it, shall be so construed as not to prevent any person coming from another state, with the aforesaid certificates and qualifications, from presenting himself before the board of censors of the Medical Society of New Jersey for examination.

10. *And be it enacted*, That from and after the passage of this act, it shall be the duty of every physician and surgeon, who shall undertake to teach the profession to others, whenever any person commences as a student of medicine, under his particular charge, to file a certificate with the secretary of the Medical Society of New Jersey, or the secretary of any one of the district medical societies, setting forth that the said student had commenced the study

under his care and preceptorship, with the date thereof, the day of filing such certificate to be the commencement of his term of study; and when the said student shall present himself before the board of censors for the Medical Society of New Jersey, for examination, he shall exhibit the said certificate, endorsed by the said secretary, that such had been the deposit at the commencement of his course of study; and if the said applicant has received a diploma from any college, he shall produce the same before the said board of censors, that they may proceed to examine him according to the directions aforesaid: *and further*, the said student offering for examination, shall satisfy the board of censors, by certificate or otherwise, that he has pursued a regular course of study under the care and direction of a regular physician or surgeon of this state.

11. *And be it enacted*, That it shall be lawful for any student of medicine, who, after a due course of instruction, shall believe himself qualified to commence the practice of physic or surgery, to apply to the Medical Society of New Jersey, as aforesaid, for license to practice physic or surgery, or both; and it shall be the duty of the said society, thereupon, to cause the student so applying, to be carefully and impartially examined by their board of censors, in the presence of at least four of them; and if the said applicant, after said examination, shall be adjudged to be duly qualified to commence practice, he shall be entitled to receive from the said board, or a majority of them, a certificate under their hands, of his being qualified to commence practice as a physician or surgeon, or both; which certificate, when presented to the president of the Medical Society of New Jersey, shall authorize and empower him to grant a license under his hand and the seal of the society, to the person named in the certificate, to practice physic or surgery, or both, in the state of New Jersey, for which the said president shall be authorized to demand and receive from the person so licensed, a sum not exceeding fifteen dollars, to be appropriated in such manner, as the members of said society shall order and direct.

12. *And be it enacted*, That no person shall commence the practice of physic or surgery, within this state, until he shall have passed an examination, and received a diploma from the Medical Society of New Jersey, established as aforesaid; and if any person shall practice as a physician or surgeon, without having first obtained a license for that purpose, or who was not a respectable practitioner without a license, previous to the passage of the act of the fifteenth February, eighteen hundred and sixteen, he shall forfeit and pay for every prescription, the sum of twenty-five dollars, to be recovered, with costs of suit, by action of debt, in any

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CHAP. I.

How students to be examined and obtain license.

Penalties for practising physic without a proper license.

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CHAP. I.

court of judicature within the county where such offence occurs, one half thereof to be given to the complainer, and the other half paid into the treasury of the township, in which said offender resides, for the use of the poor; and it is hereby made the duty of the district society, in any county where such penalty shall be incurred, to prosecute for the same: *and further*, if any person shall so practice, contrary to the provisions of this act, he shall for ever thereafter be disqualified from collecting any debt or debts incurred by such practice, in any court in this state.

A copy of each license to be filed in the office of the county clerk.

13. *And be it enacted*, That all persons who may be hereafter licensed to practice physic and surgery, shall deposit a copy of such license with the clerk of the county in which such practitioner may reside, and until such license shall be so deposited, those practitioners who shall neglect the same, shall be liable to the penalty of this act, in the same manner as if they had no license; and it shall be the duty of the said clerk to file such license in his office, for each of which, he shall receive twelve and a half cents, and no more, from the practitioner who may deposit the same.

Certain characters prohibited, under certain penalties, from practising physic.

14. *And be it enacted*, That this act shall be so construed, as to prevent all irregular bred pretenders to the healing art, under the names or titles of practical botanist, root, or Indian doctor, or any other name or title involving quackery of any species, from practising their deceptions, and imposing upon the ignorance and credulity of their fellow citizens; and if any person shall attempt so to practice, in any of the counties of this state, he shall be considered an illegal practitioner, and subject to all the penalties contained in the twelfth section of this act; and it is hereby made the duty of the overseers of the poor, in any township where such offenders may reside, as well as the duty of the district societies, to prosecute to conviction all such offences against the laws and well being of the people of this state.

Under specific exceptions.

15. *And be it enacted*, That nothing in this act shall be so construed, as to prevent any person, not duly qualified by law, from practising physic or surgery in special cases or emergencies, when a regular physician or surgeon cannot conveniently be had; nor shall this act, or any section of it, be so construed as to prevent any licensed physician or surgeon, living in an adjoining state, from practising in this state occasionally, when consulted for that purpose.

Physicians to exhibit a bill of particulars to each patient.

16. *And be it enacted*, That any person now lawfully practising physic or surgery, or who shall be licensed, as by this act directed, shall deliver his account or bill of particulars, to all patients or their lawful representatives respectively, in plain English words, or as nearly so as the articles will admit.

17. *And be it enacted*, That the present act shall be taken and considered as a public act. TIT. XVIII.
CHAP. 2.

18. Repealer.

CHAPTER 2.

CONTAGIOUS DISEASES.

An Act to provide for the security of the citizens of this state against the introduction of contagious diseases. REV. 502.

Passed November 19, 1799.

WHEREAS it hath been represented to the legislature, that for want of due provision on the part of this state, the laws of the states of Pennsylvania and New York, for preventing contagious diseases, have been repeatedly evaded by the citizens of this state, and by the crews and passengers of infected vessels landing on the shores of this state—and it being necessary to prevent a repetition of a conduct so dangerous,

BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the governor of the state for the time being, upon application to him made by the executive or other competent authority, in the states of Pennsylvania or New York, of any vessel infected with a malignant disease, and performing quarantine under the laws of the said states of Pennsylvania or New York, being then in the rivers Delaware or Hudson, or the waters adjacent to the city of New York, to issue his proclamation, forewarning all citizens of this state from entering on board of, or having any communication with such infected vessel; and if any person or persons shall, after the publication of the said proclamation, and in contravention thereof, enter on board of any such vessel, so as aforesaid described in the said proclamation, or be any way concerned in bringing to the shores of this state, any goods, merchandise, bedding, or clothing, he, she, or they, for every such offence, shall, on conviction thereof, in due course of law, be fined in any sum not exceeding three hundred dollars, at the discretion of the court before whom such conviction shall be had.

Preamble.

in what case the governor shall issue his proclamation, prohibiting all communication with certain infected vessels.

Penalty on transgressors.

CHAPTER 3.

MALIGNANT AND INFECTIOUS DISEASES.

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| 1. Vessels, where to anchor. | | 3. Health officers, duties, etc. |
| 2. To unlade and be cleansed. | | 4. Health committee, duties, etc. |

REV. 555. An Act to prevent the introduction of malignant and other infectious diseases into the city of Perth Amboy.

Passed February 3, 1812.

Vessels to
come to an
anchor.

1. BE IT ENACTED *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That all vessels arriving at the port of Perth Amboy, between the thirty-first day of May, and the first day of October, from any port, island or other place in America, lying south of Georgia, or from any West India, Bahama or Bermuda island, or from any port or place where yellow or pestilential fever prevails, or on board of which vessel any person shall have died while at a foreign port, or on the homeward passage, shall come to anchor at some place being to the southward of a straight line drawn from the south ferry wharf in Perth Amboy aforesaid, to the house of Caleb Ward, on Staten Island, and shall be subject to the examination of the health officer hereafter mentioned, and to such regulations as may be deemed expedient by him; and that any master or commander of a vessel offending in the premises, shall be considered as guilty of a misdemeanor, and on conviction thereof, shall be fined by any court having cognizance of the same, in a sum not exceeding one hundred dollars, or be imprisoned for a term not exceeding two months.

Penalty.

Vessels to be
unladen and
cleansed.

2. *And be it enacted,* That whenever a vessel shall arrive at the anchoring place above mentioned, from a place where yellow or other pestilential fever prevails, or if during her voyage, any person has died or been sick on board with such fever, or if the health officer shall in any other case judge it necessary, the master, owner or consignee, shall forthwith cause such vessel to be unloaded, cleansed, and purified, and that until then, no permit shall be granted for her to proceed nearer to the city of Perth Amboy; and that every vessel under the above circumstances, arriving between the thirty-first day of May, and first day of October, may be detained at quarantine for any time not exceeding twenty days after her cargo shall be discharged, and the said vessel thoroughly cleansed and purified to the satisfaction of the health committee hereafter named, and that every master, owner, or consignee, neglecting or refusing to comply with the provisions herein contained, shall be considered as guilty of a misdemeanor, and upon conviction

Penalty.

thereof, shall be fined in a sum not exceeding one hundred dollars, or imprisoned for a time not exceeding two months.

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CHAP. 3.

3. *And be it enacted*, That the mayor, recorder, aldermen, and commonalty, of the city of Perth Amboy, shall have the power to appoint some fit person as health officer or visiting physician, whose duty it shall be to visit all vessels arriving from the places or under the circumstances herein mentioned, and to report the same and the situation thereof to the health committee, and to direct, at the expense of the master, owner, or consignee of all such vessels arriving as aforesaid, the manner in which the same shall be cleansed, ventilated, and purified, and when done, to certify the same to the health committee; and the said health officer shall be entitled to ask, demand, and receive of and from the master, owner, or consignee of all vessels arriving as aforesaid, the sum of five dollars, on visiting the same on arrival, and the further sum of two dollars for every visit thereafter made at the request of such master, owner, or consignee, or of the health committee, to inspect such vessel after she shall have been cleansed, ventilated, and purified as aforesaid.

Health officer.

Duties.

Compensation.

4. *And be it enacted*, That the mayor, recorder, and aldermen of the city of Perth Amboy, for the time being, shall constitute a health committee, and as such shall be and are hereby authorized to do and perform all such duties as may be necessary to carry this act into effect, and upon the report of the health officer, to grant a permit to any vessel arriving or circumstanced as aforesaid, to proceed to the city of Perth Amboy, after she shall have been cleansed, ventilated, and purified, and the said health committee shall have power to forbid the intercourse with any vessel arriving as aforesaid, having on board persons sick of a pestilential or yellow fever, and to prevent any of the crew or passengers of such vessel (except the captain or master thereof, for the purpose of entry) from landing at the city of Perth Amboy aforesaid; and every person offending in the premises, shall be adjudged guilty of a misdemeanor, and shall on conviction in any court of competent jurisdiction, be fined in any sum not exceeding one hundred dollars, or be imprisoned for a term not exceeding two months.

Health committee.

Duties.

Powers.

Penalty.