

**ACTS OF INCORPORATION
AND THE
BY-LAWS AND ORDERS**

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Acts of Incorporation and the By-laws and Orders by Various

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VARIOUS

**ACTS OF INCORPORATION
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BY-LAWS AND ORDERS**

ACTS
OF
INCORPORATION
AND THE
BY-LAWS AND ORDERS

OF THE

Massachusetts Medical Society.

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1850.

ACTS OF INCORPORATION.

COMMONWEALTH OF MASSACHUSETTS.

IN THE YEAR OF OUR LORD 1781.

AN ACT

To incorporate certain Physicians, by the name of "The Massachusetts Medical Society."

As health is essentially necessary to the happiness of society, and as its preservation or recovery is closely connected with the knowledge of the animal economy, and of the properties and effects of medicines; and as the benefit of Medical Institutions, formed on liberal principles, and encouraged by the patronage of the law, is universally acknowledged, —

1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Nathaniel Walker Appleton, William Baylies, Benjamin Curtis, Samuel Danforth, Aaron Dexter, Shirley Erving, John Frink, Joseph Gardner, Samuel Holten, Edward Augustus Holyoke, Ebenezer Hunt, Charles Jarvis, Thomas Kast, Giles Crouch Kellogg, John Lynn, James Lloyd, Joseph Orne, James Pecker, Oliver Prescott, Charles Pynchon, Isaac Rand, Isaac Rand, jun., Mi-*

cajah Sawyer, John Sprague, Charles Stockbridge, John Barnard Swett, Cotton Tufts, John Warren, Thomas Welsh, Joseph Whipple, and William Whiting, be, and they hereby are, formed into, constituted, and made a body politic and corporate, by the name of "THE MASSACHUSETTS MEDICAL SOCIETY;" and that they and their successors, and such other persons as shall be elected in the manner hereafter mentioned, shall be and continue a body politic and corporate, by the same name, for ever.

2. *And be it enacted by the authority aforesaid,* That the Fellows of said Society may, from time to time, elect a President, Vice-President, and Secretary, with other officers, as they shall judge necessary and convenient; and they, the Fellows of said Society, shall have full power and authority, from time to time, to determine and establish the names, number, and duty of their several officers, and the tenure or estate they shall respectively have in their offices; and also to authorize and empower their President, or some other officer, to administer such oaths to such officers as they, the Fellows of said Society, shall appoint and determine for the well ordering and good government of said Society, provided the same be not repugnant to the laws of this Commonwealth.

3. *And be it enacted by the authority aforesaid,* That the Fellows of said Society shall have one common seal, and power to break, change, and renew the same at their pleasure.

4. *And be it enacted by the authority aforesaid,* That they, the Fellows of said Society, may sue and be sued

in all actions, real, personal, or mixed, and prosecute and defend the same unto final judgment and execution, by the name of "The Massachusetts Medical Society."

5. *And be it enacted by the authority aforesaid,* That the Fellows of said Society may, from time to time, elect such persons to be Fellows thereof as they shall judge proper; and that they, the Fellows of said Society, shall have power to suspend, expel, or disfranchise any Fellows of said Society.

6. *And be it enacted by the authority aforesaid,* That the Fellows of said Society shall have full power and authority to make and enact such Rules and By-laws, for the better government of said Society, as are not repugnant to the laws of this Commonwealth; and to annex reasonable fines and penalties to the breach of them, not exceeding the sum of twenty pounds, to be sued for and recovered by said Society, and to their own use, in any Court of Record within this Commonwealth proper to try the same; and also to establish the time and manner of convening the Fellows of said Society; and also to determine the number of Fellows that shall be present to constitute a meeting of said Society; and also, that the number of said Society, who are inhabitants of this Commonwealth, shall not, at any one time, be more than seventy, nor less than ten; and that their meetings shall be held in the town of Boston, or such other place within this Commonwealth as a majority of the members present, in a legal meeting, shall judge most fit and convenient.

And whereas it is clearly of importance that a just

discrimination should be made between such as are duly educated and properly qualified for the duties of their profession, and those who may ignorantly and wickedly administer medicine, whereby the health and lives of many valuable individuals may be endangered, or perhaps lost to the community, —

7. *Be it therefore enacted by the authority aforesaid,* That the President and Fellows of said Society, or such other of their Officers or Fellows as they shall appoint, shall have full power and authority to examine all candidates for the practice of physic and surgery (who shall offer themselves for examination) respecting their skill in their profession; and if, upon such examination, the said candidates shall be found skilled in their profession, and fitted for the practice of it, they shall receive the approbation of the Society, in letters testimonial of such examination, under the seal of the said Society, signed by the President, or such other person or persons as shall be appointed for that purpose.*

8. *And be it further enacted by the authority aforesaid,* That if the said President, and such other person or persons, so elected and appointed for the purpose of examining candidates as aforesaid, shall obstinately refuse to examine any candidate so offering himself for examination as aforesaid, each and every such person, so elected and appointed as aforesaid, shall be subject to a fine of one hundred pounds, to be recovered by the said candidate, and to his own use, in any Court within this Commonwealth proper to try the same.†

* See Act passed in 1803.

† Repealed in the Act of 1789.

9. *And be it further enacted by the authority aforesaid*, That the Fellows of said Society may, and shall for ever, be deemed capable in law of having, holding, and taking in fee simple, or any less estate by gift, grant, or devise, or otherwise, any land, tenement, or other estate, real or personal; *provided* that the annual income of the whole real estate that may be given, granted, or devised to, or purchased by, the said Society, shall not exceed the sum of two hundred pounds, and the annual income or interest of said personal estate shall not exceed the sum of six hundred pounds; all the sums mentioned in this act to be valued in silver at six shillings and eightpence per ounce; and the annual income or interest of the said real and personal estate, together with the fines and penalties paid to said Society, or recovered by them, shall be appropriated to such purposes as are consistent with the end and design of the institution of said Society, and as the Fellows thereof shall determine.

10. *And be it further enacted*, That the first meeting of the said Medical Society shall be held in some convenient place in the town of Boston; and that Edward Augustus Holyoke, Esq. be, and he hereby is, authorized and directed to fix the time for holding the said meeting, and to notify the same to the Fellows of said Medical Society.

[This Act passed November 1, 1781.]

AN ACT

In addition to an Act, entitled "An Act to incorporate certain Physicians by the name of the Massachusetts Medical Society."

WHEREAS the Act, entitled "An Act to incorporate certain Physicians by the name of the Massachusetts Medical Society," has been found, in its operation, insufficient to effect the important and desirable purposes for which it was designed, —

1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Fellows, for the time being, of the said Massachusetts Medical Society, in any meeting or meetings, to be called and holden for the purpose, before the next annual meeting, shall have authority to elect into that Corporation, and to be Fellows thereof, such and so many suitable persons, being physicians or surgeons resident within this Commonwealth, as they shall see fit; any thing in the Act, to which this is in addition, to the contrary notwithstanding. *Provided,* That all persons so elected shall, within one year after such election, subscribe the By-laws of the said Society, or otherwise declare, in writing, their assent thereto; or such election shall be void.

2. *And be it further enacted,* That at the next annual meeting of the Fellows of said Society, and afterwards at every annual meeting thereof, there shall be chosen by ballot, in which any absent member may vote by his proxy, duly authorized in writing, so many