

[No. 70.]

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1st Session, 1st Parliament, 31st Victoria, 1868.

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BILL.

An Act Respecting Dentistry.

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First Reading January 30, 1868.

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DR. BOULTER.

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TORONTO:  
PRINTED BY SAMUEL BEATTY

## An Act Respecting Dentistry.

**W**HEREAS the profession of Dentistry is extensively practised in the Province of Ontario, and whereas it is expedient for the protection of the public, that there should by enactment be established a certain standard of qualification required of each practitioner of the said profession, and that certain privileges and protection should be afforded to such practitioners:

Preamble.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Ontario, enacts as follows:

1. That the persons named in Section 2 of this Act shall be incorporated and known as the Royal College of Dental Surgeons of Ontario.

Incorporation by name.

2. That until other persons be appointed as hereinafter provided, Barnabas W. Day, of the City of Kingston; M. D. Curtis Strong Chittenden, of the City of Hamilton; Henry Tunstall Wood, of the Town of Picton; John O' Donnell, of the Town of Peterborough; Joseph Stuart Scott, of the Town of Cobourg, M. D.; Franklin Goodrich Callender, of the Town of Cobourg; George Van Nest Relyea, of the Town of Belleville; Antoine Denmark Lalonde, of the Town of Brockville; Charles Kahn, of the Town of Stratford, and James Bogart Meacham, of the Town of Brantford, shall be trustees and a Board of Examiners, of whom six shall be a quorum, to examine and grant certificates of license to practice Dental Surgery in this Province.

Provisional Board of Trustees and Examiners.

Quorum.

3. That two of the members of the said Board shall retire each year, which two shall be the two receiving the smallest number of votes taken by ballot for that purpose, by the members of the said Board.

Retiring Members.

4. Upon the retiring of any two members of said Board, as before provided, the remaining members of said Board shall at once proceed, at their first meeting thereafter, to elect by ballot one member to fill the vacancy, and in the case of the death or removal from the Province of any member of the said Board, another member to occupy the place of such deceased or removing member for the remainder of his term, from the said duly licensed practitioners, and the said Board shall provide by By-law for the election of one other member thereof by the said duly licensed practitioners, from the said practitioners; nothing herein contained rendering any retiring member ineligible for re-election.

Election of new Members.

Re-election.

5. The said Board shall appoint from among themselves a President, Treasurer, Secretary and Registrar, and such other officers as may be necessary to the working of this Act, and the rules and regulations of said Board.

Appointment of a President and other officers.

- Remuneration. 6. There shall be allowed and paid to each of the members of said Board such fees for attendances (in no case to exceed five dollars per day and such reasonable travelling expenses) as shall from time to time be allowed by said Board.
- Funds payable to the Treasurer. 7. All moneys forming part of the funds of said Board shall be paid to the Treasurer, and shall be applied to the carrying of this Act into execution.
- Curriculum of Studies to be fixed by the Board. Students to be articulated. Examination and fees payable before License to practice. 8. The Board shall have power and authority to fix and determine from time to time a curriculum of studies to be pursued by students, and to fix and determine the period for which every student shall be articulated and employed under some duly licensed practitioner, and the examination necessary to be passed before said Board, and the fees to be paid into the hands of the Treasurer of said Board, before receiving a certificate of license to practise the profession of dentistry.
- Sittings of the Board for examination of Students, &c. 9. The said Board may hold two sittings in every year for the purpose of examining students, granting certificates of license, and doing such other business as may properly come before them, such sittings to commence on the third Tuesday in July and January, in each and every year, which may be continued by adjournment from day to day, until the business before the said Board be finished, but no session shall exceed one week, said sittings to be held in the City of Toronto.
- Who entitled to certificates. 10. All persons being British subjects by birth or naturalization, who have been constantly engaged for two years of established office practice next preceding the passing of this act in the practice of the profession of dentistry, shall be entitled to a certificate of Licentiate of Dental Surgery, upon their furnishing to the said Board satisfactory proof of their having been so engaged, and upon passing the required examination, and upon payment of such fees as may be authorized and fixed by the said Board, for the payment of which the Treasurer's receipt shall be sufficient evidence.
- The Board to make Rules, Regulations and By-laws. 11. That the said Board shall at its first meeting, and from time to time thereafter, make such rules, regulations and by-laws as may be necessary for the proper and better guidance, government and regulation of said Board and said profession of Dentistry, as to fees and otherwise, and the carrying out of this Act; which said rules, regulations and by-laws, having been first published for two consecutive weeks in the Provincial Gazette, shall have the same force and effect as if they were embodied in this Act; any or all of such rules, regulations and by-laws being liable to be cancelled and annulled by an order of the Lieutenant-Governor of this Province.
- Publication in the Provincial Gazette. 12. Every person desirous of being examined by the said Board, touching his qualifications for the practice of the profession of dentistry, shall at least one month before the sittings of said Board, pay into the hands of the Treasurer the required fees, and inclose and deliver to the Secretary the Treasurer's receipt for the same, together with satisfactory evidences of his apprenticeship, loyalty, integrity and good morals.
- Fees payable before examination. 13. If the Board be satisfied by the examination that the person is duly qualified to practise the profession of Dentistry, and be further satisfied that he is a person of loyalty, integrity
- Certificate of License.

and good moral character, they shall grant him a certificate of license and the title of Licentiate of Dental Surgery, which certificate and title shall entitle him to all the rights and privileges of this Act until such time as the Board shall be satisfied that he has been guilty of acts, detrimental to the interests of the profession, when he shall forfeit his certificate, and it shall be cancelled; such forfeiture may, however, be waived, and the said certificate of License and all rights and privileges thereunder, full revived by said Board, in such manner and upon such terms and conditions as to said Board may seem expedient.

Designation  
of Title.

Forfeiture,  
when.

14. Every certificate of license shall be sealed with the Corporation Seal and signed by the President and Secretary of said College; and the production of such certificate of license shall be *prima facie* evidence in all courts of law and upon all proceedings of whatever kind, of its execution and contents.

Certificate to  
be under the  
Corporate  
seal.

15. The Secretary of the said Board shall, on or before the fifteenth day of January in each and every year, inclose to the Provincial Secretary a certified list of the names of all persons to whom certificates of license have been granted during the then next preceding year.

Certified lists  
of Licenses  
granted to be  
chelosed to  
the Provincial  
Secretary an-  
nually.

16. If any person, after the period of six months after the passing of this Act, not holding a valid and unforfeited certificate of license, practises the said profession of Dentistry for hire, gain or hope of reward, or wilfully and falsely pretends to hold a certificate of license under this Act, or takes or uses any name, title, addition or description implying that he is duly authorized to practise the profession, or shall falsely use any title representing that he is a graduate of any Dental College either in Great Britain or other countries, shall be guilty of a misdemeanor, and shall, upon summary conviction before any Justice of the Peace for any such offence, pay a sum not exceeding twenty dollars, and in default of payment of such penalty, on conviction, the offender may be committed to the common Jail of the County of which he is convicted, until the same is paid.

Persons prac-  
ticing with-  
out License  
to be guilty  
of misde-  
meanor.

Penalty not  
exceeding  
\$20, upon  
summary con-  
viction before  
any Justice.  
In default of  
payment, im-  
prisonment.

And it is further provided that no such person shall recover in any Court of Law for any work done or materials provided by him in the ordinary and customary work of a Dentist.

Inability to  
recover for  
work done.

17. That nothing in this Act shall interfere with the privileges conferred upon Physicians and Surgeons by the various acts relating to the practice of Medicine and Surgery in this Province.

This Act not  
to interfere  
with Physi-  
cians or Sur-  
geons.

18. This Act shall be deemed a Public Act.

Public Act.