

answer the same, under oath, on or before a date to be named within thirty days from the date of such order, and to show cause, if any there be, why the prayer of such petition should not be granted, which order shall be served upon said last named person; and if said petition shall not be answered within the time named, as aforesaid, or if the answer thereto shall be adjudged insufficient by the court, then the court shall pass an order directing that the name of such person alleged to be wrongfully or improperly registered shall be stricken from the registry of physicians or surgeons where the same shall have been registered; but if said petition shall be answered by the defendant, being the person against whom it is exhibited by an answer under oath, fairly and fully denying the allegations of said petition, the issues thus raised shall be heard and determined by the court, and either party may be entitled to a jury trial before a jury of the regular panel empaneled to try common law cases in said court; and the defendant shall be competent and compellable to testify at such hearing, and upon such hearing the court shall render judgment with costs against the unsuccessful party. And if it shall determine that said defendant was not practising medicine in the State of Maryland on or before the date of June 1, 1892, not being a lawful practitioner of medicine in said State, on or before said date, it shall pass an order directing the name of said defendant to be stricken from the registry of physicians or surgeons, or both, which order shall be certified by the clerk of the court wherein said defendant was registered, and he shall thereupon strike his name from said registry. But the decision upon such petition shall have no force and effect in any criminal prosecution under this sub-title. \*

1902, ch. 612, sec. 61 †

**101.** Any person shall be regarded as practising medicine within the meaning of this sub-title who shall operate on or prescribe for any ailment of another, or who shall append to his or her name the letters M. D., or prefix the word doctor, or the abbreviation thereof, Dr., to his or her name, with the

\*In the Supplement of 1900, title "Health," sub-title "Practitioners of Medicine," pages 339, 340, this section called Section 61 in 1896, ch. 194, was numbered 80, and Section 62, of 1896, ch. 194, was numbered 61. By 1902, ch. 612, Section 62 of 1896, ch. 194, was erroneously called 61 (the number being taken from the Supplement), and was repealed and re-enacted as 61, thus leaving Section 61, as numbered in 1896, ch. 194, still in force. Hence it is retained.

† Should have been numbered 62 in 1902, ch. 612