

be competent for the governor, at any time, to remove said agent for neglect, incompetency or unfaithfulness of any kind; and in case of death, resignation or removal for any of such causes, to appoint another in his stead, who shall hold office for the unexpired term of such agent.

See note to sec. 55.

1904, art. 43, sec. 42. 1888, art. 43, sec. 27. 1864, ch. 269, sec. 3. 1882, ch. 157.

55. For every child vaccinated, whose guardian or parents are too poor to pay for the service, the county commissioners of the several counties, or the mayor and city council of Baltimore, as the case may be, shall pay, or cause to be paid, to the physician performing the service, the sum of fifty cents for every such case, on presentation of such account, duly authenticated by an affidavit setting forth that the service was duly performed and that the parents or guardians are unable to pay for said service; provided, that in the counties, or in the city of Baltimore, where vaccine physicians are appointed by the proper authorities to vaccinate all persons who may apply, the county commissioners of such counties and the mayor and city council of Baltimore shall be respectively freed from the payment of fees to other physicians for vaccinating those unable to pay; and the county commissioners are hereby authorized and empowered to make contracts with and designate such vaccine physicians as they deem necessary.

If the physician performs the services and the parent is unable to pay, the county commissioners must pay. It is immaterial that the child came at the suggestion of the physician. Object of the vaccine law. *Allegany County v. McClintock*, 60 Md. 560; *Worcester County v. Melvin*, 89 Md. 42.

Ibid. sec. 43. 1888, art. 43, sec. 28. 1864, ch. 269, sec. 4.

56. It shall be the duty of every practising physician in this State to vaccinate all children in the circle of his practice which may be presented to him for vaccination, within one year after birth, if such child shall be in proper condition for such service; and he shall vaccinate all other persons not previously effectually vaccinated who shall request such service from him. Any physician neglecting or refusing so to do shall, on conviction thereof, forfeit and pay for every offense a penalty of five dollars.

See note to sec. 55.

Ibid. sec. 44. 1888, art. 43, sec. 29. 1864, ch. 269, sec. 5.
1872, ch. 257, sec. 5.

57. Any physician who shall knowingly and wilfully use any virus defective in its nature, by having passed through a scrofulous system, from having been taken from one laboring under any disease of the skin, chronic sore or other febrile, or other disease, during the progress of the vaccine disease, or any crust which, during the progress of said vaccine disease, was punctured, or had sustained other injury, shall upon conviction thereof, forfeit and pay a sum not less than one hundred nor more than five hundred dollars for each offense.

See note to sec. 55.