

for, or otherwise treat any physical or mental ailment or supposed mental ailment of another, or who shall for hire or for any gratuity or compensation, either directly or indirectly to him or her paid, undertake by any appliance, operation or treatment of whatever nature, to cure, heal or treat any bodily or mental ailment or supposed ailment of another; or who for any hire, gratuity or compensation, either directly or indirectly to him or her paid, by or for any patient, shall undertake to treat, heal, cure, drive away or remove any physical or mental ailment, or supposed ailment of another, by mental or other process, exercised or invoked on the part of either the healer or the patient or both; but nothing herein contained shall be construed to apply to gratuitous services, nor to any resident or assistant resident physicians or students at hospitals in the discharge of their hospital or dispensary duties, or in the office of physicians, or to any physician or surgeon from another State, territory or district in which he resides when in actual consultation with a legal practitioner of this State; or to commissioned surgeons of the United States army, or navy, or insane hospital service, or opticians or chiropodists, or to midwives, or to masseurs, or other manual manipulators who use no other means; nor shall the provisions of this sub-title apply to physicians or surgeons residing on the borders of a neighboring State, and duly authorized under the laws thereof to practice medicine or surgery therein, whose practice extends into the limits of this State; provided, that such practitioners shall not open an office or appoint places to meet their patients or receive calls within the limits of this State without complying with the provisions of this sub-title; provided, that the same privileges be accorded to licensed physicians of this State; provided, further, that nothing in this sub-title shall annul any of the provisions of article 32, title "Dentistry," nor shall apply to any registered graduate of dental surgery now practicing in the said State of Maryland, with the sign titles: Dentist, surgeon dentist, dental surgeon or stometologist; and provided further, that nothing herein contained shall be so construed as to prevent or in any way make unlawful or interfere with the sale by manufacturing, wholesale or retail druggists, or any persons dealing in drugs or medicines of any proprietary or patent medicine or any official or standard drug or medicine.

This section is not unconstitutional as creating an arbitrary classification. *Watson v. State*, 105 Md. 657 (affirmed in 218 U. S. 175); *Scholle v. State*, 90 Md. 739. (Neither case involved the act of 1908, ch. 120.)

For a case apparently now inapplicable to this section by reason of changes in the law, see *Manger v. Board of Examiners*, 90 Md. 667.

1904, art. 43, sec. 102. 1902, ch. 612, sec. 61 A.

131. It shall be the duty of the police commissioners of Baltimore city, and of the sheriff of each county in the State, to see that all practising physicians in the State shall be legally registered according to the provisions of this sub-title, and to report to the state's attorney of the city or county all cases of the violation of the provisions of this sub-title.