

granted, which order shall be served upon the 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 practicing osteopathy shall be stricken from the registry of osteopathic physicians where the same shall have been registered, but if said petition shall be answered by the defendant as 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 empanelled 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 is practicing osteopathy in the State of Maryland without having obtained a license from the State Board of Osteopathic Examiners under the provisions and conditions of this sub-title, it shall pass an order directing the name of said defendant to be stricken from the registry of osteopathy, 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.

Construing this section and section 302 together, in the light of sections 300 and 303, a practitioner in Maryland prior to April 13, 1914, was not required to procure a license from the state board of examiners as a prerequisite to being registered. Purpose and construction of the act of 1914, chapter 786. Petition for mandamus held sufficient. *Cutty v. Carson*, 125 Md. 27.

**299.**

See notes to section 298.

**300.**

See notes to section 298.

**301.**

See notes to section 298.

1914, ch. 786. 1916, ch. 522.

**302.** From and after April 13, 1914, no person shall enter upon or continue the practice of osteopathy in the State of Maryland unless he or she has complied with the provisions of this sub-title, and shall have exhibited to the Clerk of the Circuit Court of Baltimore City or the Clerk of the Circuit Court of the County in which he or she desires to practice osteopathy, a license duly granted to him or her, as hereinbefore provided, whereupon he or she shall be entitled, upon the payment of one dollar, to be duly registered in the office of the Clerk of the Circuit Court of Baltimore City or the Clerk of the Circuit Court of the County; and any person who shall practice or attempt to practice