scribe drugs, practice obstetrics, gynaecology and surgery, by quoting to you the provisions of Section 3429, Compiled General Laws of Florida, which reads as follows:

"Osteopathic physicians and surgeons shall observe and be subject to all State and municipal regulations relative to reporting births and deaths and all matters pertaining to the public health, with equal rights and obligations as physicians of other schools of medicine, and such reports shall be accepted by the various departments to which the same are reported.

Osteopathic physicians and surgeons licensed hereunder shall have the same rights as physicians and surgeons of other schools of medicine with respect to the treatment of cases or holding of offices in public institutions.

"It is the intent and purpose of this Chapter to grant to osteopathic physicians and surgeons the right to practice as taught and practiced in the standard colleges of osteopathy."

You will notice that the last clause of this Section states that osteopaths have the right to practice their profession as taught in the standard colleges of osteopathy. Whether or not they have the right to perform surgical operations, practice obstetrics, etc., depends therefore upon whether or not such matters are embraced in the practice of osteopathy as taught in the standard colleges referred to. My understanding is that the osteopaths claim their practice embraces the items above mentioned, and if it does, then under the statutes of Florida they have the right to do those things.

Yours very truly,

FRED H. DAVIS, Attorney General.

STATE BOARD OF MEDICAL EXAMINERS

STATE BOARD MEDICAL EXAMINERS—AUTHORIZED TO HOLD SPECIAL EXAMINATION.

January 25, 1930.

Dear Doctor:

This will acknowledge receipt of your letter of January 21st requesting my opinion on the above subject.

Section 3407, Compiled General Laws of Florida, contains the following provision:

"Said Board shall hold two regular meetings each year, one in June and one in November, at some convenient place in the State and on such date as the Board may select, of which meetings notice shall be given by publication thereof once a week for four successive weeks in a newspaper of general circulation throughout the State. Special or call meetings may be held at the discretion of the president."

I am of the opinion that the last sentence of the above provision, providing for special or call meetings of the Board to be held at the discretion of the president, contemplates that the president has authority to call such special or called meetings to conduct a special examination to
cover a situation like that mentioned in your letter, when the public interest requires it or where an emergency exists which warrants the Board in holding such special examination.

T rusting this answers your inquiry, I am,

Yours very truly,

FRED H. DAVIS, Attorney General.

MEDICAL PRACTICE—RIGHT TO PRACTICE MEDICINE IN STATE.

December 17, 1930.

Dear Sir:

Section 3408, Compiled General Laws, provides that any person wishing to obtain the right to practice medicine in this State "who has not heretofore been registered or licensed so to do" shall before it shall be lawful for him to practice medicine in this State make application to the Board upon such form and in such manner as shall be adopted and prescribed by the Board and obtain a license from the State Board of Medical Examiners so to do. Unless such person shall have obtained a license as aforesaid, it is unlawful for him to practice medicine in this State, and if he practices medicine in this State without having obtained such license, he is deemed to have violated the law prohibiting the practice of medicine without a proper license.

It is therefore plain that if Dr. James W. Wilson of Frankfort, Kentucky, was lawfully licensed to practice and was practicing medicine in Florida when the medical practice Act of 1889 was passed that under the terms of that Act he became lawfully licensed to practice medicine in the State of Florida, and such right has never been abrogated or taken away from him by any subsequent law that I have been able to find.

Section 3398, Compiled General Laws, requires that every license to practice medicine shall be recorded in a book for that purpose in the office of the clerk of the circuit court, and also registered with the State Board of Health.

While Chapter 12005, Acts of 1927, makes no express reference to those physicians who were lawfully practicing in the State of Florida at the time the first medical practice act was passed it is evident from a consideration of all the statutes including the first medical practice act that there was no legislative intent in the enactment of the first medical practice act nor in any subsequent enactment, to exclude from practice any physician who was lawfully entitled to practice in the State of Florida at the time the first medical practice act was passed, whether he had a written certificate or license or not evidencing the same.

This view of the matter seems to have been recently affirmed by the Legislature in the passage of Chapter 14488, Acts of 1929, which required the State Board of Medical Examiners to grant to Dr. Butler O. Lewis of Jefferson County, Florida, a new certificate to practice medicine in the State of Florida in substantially the same form as one formerly held by him which was lost.

The Act of 1921 creating the State Board of Medical Examiners gave the Board broad powers and authorized it to make rules and regulations and to examine and pass upon the qualifications of applicants for the