

of H. Ohio.

# REMONSTRANCE PETITION.

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To the Honorable Senate and House of Representatives of the State of Ohio:

WHEREAS, A bill has been introduced to your honorable body by Mr. Green, known as the House Bill No. 223, to "Provide for a State Board of Health, and to Regulate the Practice of Medicine in Ohio," we, the undersigned, citizens of Ohio, desire to enter our protest against the enactment of the aforesaid bill, for the following reasons:

First—On the broad ground that there is at this time no more necessity for such an act than there has been during the past history of the State, and that the people of the State—those who need the services of the medical profession—have not asked for the passage of any such act, and are, generally, sufficiently intelligent to choose their own means of employing remedies when afflicted, without the restrictions and restraints of this bill, should it become a law in the interest of what is called, in the 5th line and 1st section of this bill the "regular" school.

Second—Because that, under the *assumed* object of placing the sanitary interests of the State under, or in care of, a State Board of Health, to be appointed by the Governor, the real object of the bill is to eliminate all that is not "regular," regardless of capacity or intelligence, unless approved by a State Board of *five* "regulars," and only *two* of other schools, whom even the "regulars" do not recognize as *orthodox*.

Third—Because we believe this proposed bill would be contrary to the Constitution. The fourteenth Amendment says:

"All citizens of any State are citizens of the United States," and entitled to the same rights and privileges, and "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law (See Articles IV, V and VI), nor deny to any person within its jurisdiction the equal protection of the laws." "Hence," says Judge Anson Willis, of the District Court for Washington, "every citizen may do that which best suits his interests or his tastes. He may go when or where he desires, he may stay in the country or leave it without restraint or hindrance; in short, he may do whatever seemeth good to him, provided he does not infringe on the rights of others." Amendment (Arts. IV, V, VI).

Article IV. "As all citizens are equal before the laws (Amendment, Art. IV), no one class, as doctors, clergymen, lawyers, farmers, mechanics, merchants, manufacturers, etc., has a right to a law which can compel all the rest, or any one of them, to conform to the requisitions of any partial, arbitrary requisition, as that of a church, to forbid any but ordained and consecrated ministers to preach the gospel; or law school, to prevent any person from advocating, before a court, the cause of another, before the former had been through the course of preparation in the law school; or a third, to teach or practice medicine without a diploma from a self-constituted faculty of teachers of the art."

All such demands and practices are violences—"abridgments of the inalienable rights of man"—unconstitutional and void. The only thing that you have a right to do in the way of "abridging the privileges and immunities" of your fellow-citizens, is to punish them "by due process of law." Article IV, Section 2, and Amendment, Articles IV, V, VI. And even here, the only physicians liable to molestation, are they who administer to their patients "articles inimical to the human constitution"—poisons which will "reduce the vitality of the system," injure the health and endanger the life of the patient. And for this purpose, the giving to all "the protection of the law" and the redress of injuries, the common law has made ample provisions; all that is wanted is its faithful execution."

Fourth—Therefore, to secure the enactment of laws conferring upon a certain class legal rights and prerogatives, which are in direct conflict with the constitutional and natural rights of other citizens (under the specious guise of "A bill providing for a State Board of Health.") now, the undersigned, citizens of the State of Ohio, most respectfully, but emphatically, remonstrate against the passage of any law looking to such a result, or any class legislation whatever, or the curtailment of individual rights or personal freedom to choose, without hindrance or restraint, one's doctor when sick, as well as his assistance when well.

Besides, the people constituting the majority of the citizens of this State, do not ask for such laws; they are opposed to them, and to all enactments which infringe upon their just liberties or infringe upon their natural and "inalienable rights," in the interests of a favored class. Therefore, we, your petitioners earnestly protest against this attempted interference with individual and equal rights, by a class of our citizens who are now seeking the enactment of a special medical law which will enable them to control the practice of medicine within this State, for their individual benefit, to the great injury of the rights and privileges justly pertaining to all other classes of citizens. And as in duty bound we will ever remonstrate and pray.

MEMORANDUM FOR THE SECRETARY

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The following information was received from the Bureau of the Census on the 15th day of August, 1941. It is being furnished to you for your information and for the information of the Bureau of the Census. The information is being furnished to you for your information and for the information of the Bureau of the Census. The information is being furnished to you for your information and for the information of the Bureau of the Census.

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