

a medical man in the pursuit of his profession has done something *with regard to it* which would be reasonably regarded as disgraceful or dishonorable by his professional brethren of good repute and competency; that it is open for the Medical Council to say that he has been guilty of infamous conduct in a professional respect." The meaning is perhaps made more clear when we couple to this the words of Barr, L. J. (speaking as to the Medical Act): "Upon a charge of infamous conduct in some professional respect, the particulars which should be brought to this attention in order to enable him to meet that charge ought to be particulars of conduct which, if established, is capable of being viewed by honest men as conduct which is infamous. . . . If nothing is brought before the tribunal which could raise in the minds of honest persons the inference that infamous conduct had been established, that would go to show that there had not been a due enquiry." *Leeson v. General Council*, 43 Ch. D. 383-4; *Regina v. General Council*, 3 E. & E. 525 (1801) the judges, Compton, J., and Hill, J., treated the phrase "infamous conduct in a professional respect" as equivalent to "infamous professional conduct."

Now the essence of the enquiry here is (not as it was begun, but as the Committee regarded it at the end), falsehood or no falsehood; fraud or no fraud; deceit or no deceit.

As said by Halsbury, L. C., in *B. C. v. Lea* (1897), A. C. 230, "A false statement made knowingly in order to gain some benefit is whatever is the subject matter of the Statute, and in every sense of the term, an immoral act." And as to defraud and to deceive, we cannot find a more terse or happy elucidation of the meaning than is given by Mr. Justice Buckley in *re London*, 10 Mans., B.C. 202: "To deceive is to induce a man to believe that a thing is true which is false, and which the person practicing the deceit knows or believes to be false. To defraud is to deprive by deceit: by deceit to induce a man to act to his injury. To deceive is by falsehood to induce a state of mind: to defraud is by deceit to induce a course of action."

Thus tested, how stands the evidence? The statements made were believed to be true by the appellant, and he is a man of learning and of professional skill, and besides in good repute for truth and integrity. The fact of "grippura" being efficacious is attested by the written certificates of people of intelligence and of well known reputable character—some of them also of medical learning. As a proof of *bona fides* the physician offers to submit his medicine to any fair test; and in