

RULE III.—As to “fraudulent representation,” be prepared to prove (1) any false representation that the person applying makes to bring himself within any of the eight clauses in Schedule “A” to the Act. Such as the alteration, falsification, or forgery of a certificate from any School or College—as mentioned—or of any School or College recognized by the Medical Council. Any material alteration of a Certificate amounts to forgery thereof. A “material alteration” is of the date, name of person, or other fact in the instrument. (2) That the party seeking registration was not practising in Ontario prior to 1st January, 1850, and had not attended one course of lectures at any recognized School. (Sec. XXII, Sub-sec. 2.) (3) In case of Homœopaths and Eclectics, any false representation that the person seeking registration had been practising prior to 1st January, 1850, or for the last six years in Ontario (prior to the date of this Act coming into force, 24th March, 1874.) (Sec. XXII, Sub-sec. 2.)

SECTION XL, SUB-SECTION 1.

This clause is as follows:—

“It shall not be lawful for any person, not registered, to practise Physic, Surgery, or Midwifery in the Province of Ontario, for hire, gain, or hope of reward; and if any person not registered under this Act, shall, for hire, gain, or hope of reward, practise or profess to practise Physic, Surgery, or Midwifery, or advertise to give advice in Physic, Surgery, or Midwifery in the Province of Ontario, he shall upon a summary conviction thereof before any Justice of the Peace, for any and every such offence, pay a penalty not exceeding One Hundred Dollars, nor less than Twenty-five Dollars.”

RULE IV.—(1) If accused attempt to prove any registration, see that it be done according to Section XL, by the production of the Register with Registrar's certificate. (2) If he hold himself out to the public as a Physician or Surgeon, proof by parties aware of the fact, or the production and proof of advertisement, or proof of sign or notice in other form, published or circulated by him or by his agent, must be forthcoming. (3) If he has attended persons, and treated or prescribed for complaints or illness, the fact may be proved by a patient, and sometimes by the Druggist making up prescriptions signed or ordered by him; but in this case it must also be proved that he received pay or stipulated for it. (4) If he has taken fees, or been paid for Medical or Surgical services rendered, the best proof will be the evidence of the party who made the payment. (5) Where payment has not actually been made, and he has rendered an account, or has made some bargain for remuneration with the patient, the production and proof of the account, or the evidence of the patient will be necessary.