

simple one; it is not whether this man has violated any code of ethics or not. . . . it is not whether he has advertised or not. The question is simply this: He is an educated man, medically educated, and a graduate of the College. Can an educated medical man, acquainted with the action of drugs, advertise to the whole community that a remedy which he keeps secret, but which consists of a few drops of hydriodic acid, (will) cure any particular disease and every case of it in an hour or two. Is that fraud or not?" Dr. H. "It is fraud, of course."

Dr. B. (the Chairman of Committee). "This man has had two trials; there was evidence taken at both of these trials, and . . . I maintain that he has been conducting a fraud, and . . . the Council cannot do anything else than striking off the registry."

The President: "Not to punish him, but to protect the people."

Upon which the motion to adopt was carried, one member not voting and one member voting "nay." Report of 1906-1907, page 220.

The report was then affirmed with the rider disclosing a new phase of the investigation, the result of which that the *bona fides* and truthfulness of the appellant are negatived and his fraudulent and deceitful conduct affirmed. Without taking him to task on these grounds it is in effect assumed that he did not and could not believe in the efficacy of his alleged discovery; that what was put forth in his circular was false; that acting as an imposter he seeks to impose upon and lead astray a credulous public, and that his whole conduct was fraudulent with intent to deceive the community for his own personal gain.

Surely in an investigation of such serious moment, involving professional extinction to the party inculpated, there should have been at the outset the charge formulated in this aspect of fraud and falsity. The whole evidence for the defence must have assumed a very different aspect had the prosecution been framed and conducted on these lines.

Starting with the simple yet comprehensive charge that the man advertised his business, setting forth the curative virtues of his medicine (which of itself, in the opinion of the witnesses constituted infamous and disgraceful conduct from a professional point of view), this was covertly directed during the course of the proceedings, so that in the issue it is found that the statements in the circular were false; that he knew them to be false; that he made them with intent to deceive and