

under the name and style of "Institut Dentaire Franco-Americain;"

4.—That since April last, Defendant has placed on the wall of his establishment the sign "Institut Dentaire Franco-Americain," at three different places, and in the windows, at two different places, in large characters, the sign: "Dentiste;"

5.—That the aforesaid registered declaration of Defendant and the signs referred to above are of such nature as to impress the public that Defendant is duly authorized to practise as a dentist; and said declaration has been filed by Defendant, who maintains such signs and inscriptions in order to make the public believe that he is duly authorized to practise as a dentist;

6.—That since that date, Defendant advertises constantly in *La Presse*, *La Patrie*, and *The Star*, of Montreal, under the name of "Institut Dentaire Franco-Americain," setting forth in these advertisements that he makes sets of teeth and all the operations of dentistry, and these advertisements are of such a nature as to make the public believe that Defendant is duly authorized to practise as a dentist;

7.—That since that date (15th April, 1899), the Defendant uses the titles "Institut Dentaire Franco-Americain" and "Dentiste," in his windows and on his office paper and business cards, and such titles are of such a nature as to make the public believe, and in fact make him believe, that he has obtained a diploma or degree granted by a Dental College, and he uses such titles toward that end;

8.—That the Defendant uses these signs, titles and advertisements with the intent of making the public believe that he has obtained a diploma or degree of some kind from a Dental College and that he is duly authorized to practise as a dentist;

9.—That said signs, titles and advertisements are contrary to law and that Defendant has incurred a penalty of \$25.00 at least, and not exceeding \$100.00; Plaintiff prays that Defendant be sentenced to pay the minimum \$25.00 and costs.

The Defendant, in his answer, admits allegations 1, 2, 3, 4, of the above declaration and denies the rest, adding that the present action is vexatious, and prays for dismissal of same and costs.

At the hearing, Plaintiff filed a considerable number of advertisements that Defendant admitted he has published in the newspapers.

Defendant, when heard as witness, said he was not a dentist, that he had not advertised himself as such, that he was but the book-keeper, and that he employed licensed and well-qualified