

use it in some way. Merely because a man holds himself out as a healer of some kind he should not be entitled to call himself "doctor," if he has no authorized right to do so.

THE COMMISSIONER: Well, what about men who call themselves osteopathic doctors and chiropractic doctors? That defines what they are, and apart from the question whether they have any right to use the word "doctor" or not, it would seem advisable that they should distinguish themselves.

MR. OSLER: Once their right is determined there is no reason why they should not have such proper title as that right may call for.

THE COMMISSIONER: At the present time, when their right is not defined or settled, it is better that they should call themselves by their correct name, and they use the word "doctor."

MR. OSLER: At the present time, if I understand the decision of the Court of Appeal in re Ontario Medical Act rightly, they are, each and every one of them, practising medicine unlawfully and in violation of the Act. What I mean is this, my Lord, that if a man holds himself out as competent to diagnose and to relieve by prescription of any kind, any ailment, he is practising medicine, as I understand the Act as it is now. The question is what provision should be made for the imposing and the maintaining of a standard of education upon those who purport to practise in this way before the public?

I should just like to refer for a moment to the case of *R. vs. Couture*. This is really a decision of the Province of Quebec. In that case the patient was a child, incompetent to describe his symptoms or to choose medicines, and an attempt to cure by hand passage or a so-called gift for healing was held to be practising medicine, although no drugs were used.

In the case of *R. vs. Henderson*, 1 L.W.N., page 543, it was held that the practice of osteopathy was not a violation of the Act. That is taking the same view of the Act as in the case of *R. vs. Stewart*.

Now I feel sure that your Lordship will find it useful to be referred to some of the principal cases that have been decided in the American courts, but it would first perhaps be useful to give your Lordship a few definitions of the phrase "Practice of Medicine."

The definition in Murray's Oxford Dictionary (undoubtedly the authoritative definition) is quoted in the judgment of Mr. Justice MacLaren, in 13 O.L.R.—which is probably the authoritative definition: