

high plane of a close corporation." Mr. Justice Maclaren asked if Mr. Henry could not comply with the law by making out a bill for use of parlors, appliances, material and professional services. Mr. E. F. B. Johnston, K.C., who defended Mr. Henry, thought he could; but said that Mr. Henry was also within the meaning of the Act because he supplied skilled and qualified dentists. Mr. Hellmuth held that "carrying on the business" "and practising the profession" were the same in the meaning of the Act.

Mr. Justice Meredith asked if Messrs. Gordon and Little, the dentists employed by Mr. Henry, "were not practising their profession." "No," replied Mr. Hellmuth, "but merely a sordid trade." Mr. Hellmuth thought that the sign "Painless Dental Parlors" stood for Mr. Henry and that in this way he was inviting the public by pretending that he was a dentist. Mr. Justice Meredith thought the sign might stand for Messrs Gordon and Little.

The *Daily Star*, in its editorial on the case, remarked, "we are inclined to agree with Justice Meredith," and went on to state that a commercial concern might employ a first class lawyer and sell out his services to its customers to their advantage, as compared with services people might receive from an inferior lawyer employed on salary by a large law firm. The *Star* remarks that "Justice Meredith in saying 'on the high plane of a close corporation' put his finger on the crux of the whole matter. The so-called professions are so active in their zeal for the closed door against outsiders that they dread the very name of business. They want no untrained man to so much as lend his name to their firms."

Here is the opinion of a newspaper, which may be taken as a sort of type of others. In the foregoing quotation will be seen a grave error in reasoning, or an evident desire to be unfair. "The so-called professions," says the *Star*, "are so active in their zeal for the closed door against outsiders that they dread the very name of business." The professions, especially dentistry and medicine, are anxious for the closed door far more in the interest of the public than in their own. Then again the *Star* remarks "they want no untrained man to so much as lend his name to their firms." This is quite true and evidently proper. If the *Star* wished to be fair it would at once agree with the position that the practice of medicine and dentistry calls for very special training, and why should the untrained man come in to lend his name to a calling he does not know anything about.

We contend that the position of the *Star* is untenable. The honesty or the lack of it which the *Star* raises has nothing to do with the matter. We contend that a lawyer may accept a salary from a law firm, but not from a commercial firm, where the intention is to retail his services to other people. In like manner we hold that a doctor or a dentist may