

and for a physician to abuse that privilege by supplying liquor to be drunk as a beverage is, in my opinion, to be guilty of infamous or disgraceful conduct in a professional respect, within the meaning of sec. 31(1) of the Ontario Medical Act."

HODGINS, J.A., also agreed, for reasons stated in writing, that the appeal should be dismissed. He referred to the Allison case, *supra*, and also to *Re Washington* (1893), 23 O.R. 299, 311; *Re Crichton* (1906), 13 O.L.R. 271.

He regretted that the council did not act upon the powers conferred upon them at the last session of the Legislature and suspend the appellant, instead of erasing his name from the register: 9 Geo. V. ch. 25, sec. 21, adding sec. 32a. to the Ontario Medical Act.

MAGEE and FERGUSON, J.J.A., dissented, for reasons stated in writing by the latter.

*Appeal dismissed* (MAGEE and FERGUSON, J.J.A., *dissenting*).

FIRST DIVISIONAL COURT.

DECEMBER 19TH, 1919.

McCORMACK v. CARMAN.

*Company—Foreign Corporation—Shares—Action by Shareholder to Set aside Transfer of Shares to Another—Purchase—Failure to Disclose Option—Consideration—Fraud—Finding of Fact of Trial Judge—Reversal on Appeal—Dissolution of Corporation by Decree of Foreign Court—Assets of Corporation and Trustees thereof in Ontario—Right of Shareholder to Have Assets Administered in Ontario.*

Appeal by the defendants from the judgment of LOGIE, J., at the trial, on the 26th March, 1919, declaring that 694,900 shares of the Ontario Petroleum Company had been wrongfully issued to the defendant F. J. Carman, directing that they be re-transferred to the company, and directing payment by the defendants F. J. Carman and Elma Carman of dividends thereon received by them, amounting to \$50,258.40, with c. . . Other relief was also granted by the judgment.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, HODGINS, and FERGUSON, J.J.A.

W. N. Tilley, K.C., and A. Weir, for the appellants.

Hamilton Cassels, K.C., and R. S. Cassels, K.C., for the plaintiff, respondent.