

The Ontario Weekly Notes

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APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

DECEMBER 19TH, 1919.

*RE CHERNIAK AND COUNCIL OF COLLEGE OF
PHYSICIANS AND SURGEONS FOR ONTARIO.

*Physician—“Infamous or Disgraceful Conduct in a Professional Respect”—Ontario Medical Act, R.S.O. 1914 ch. 161, sec. 31 (1)
—Conviction for Offence against Ontario Temperance Act—
Evidence—Penalty—Removal of Name from Register—Sus-
pension—Sec. 32a. of Act (9 Geo. V. ch. 25, sec. 21).*

Appeal by Cherniak from an order or resolution of the council of the 7th July, 1919, directing that the name of the appellant be stricken from the register of the college for infamous or disgraceful conduct in a professional respect.

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

F. D. Davis, for the appellant.

H. W. Shapley, for the college council, respondents.

MACLAREN, J.A., in a written judgment, said the resolution of the council was: “That the report of the Discipline Committee be adopted and that, upon the facts ascertained and appearing in the said report and the evidence therein referred to, the said Dr. Cherniak be found guilty of infamous or disgraceful conduct in a professional respect; and that the name of the said Dr. Cherniak be and the same is hereby erased from the register; and that the Registrar be hereby ordered to erase the said name from the register accordingly.”

* This case and all others so marked to be reported in the Ontario Law Reports.