

ville, in the county of Grenville. The company did the work and rendered an account for \$190.54, which the returning officer paid out of moneys received from the Provincial Government. It appeared that the respondent was the holder of all but a few shares in the printing company. He said that he controlled it absolutely.

Section 11 of the Legislative Assembly Act, R.S.O. 1914 ch. 11, makes ineligible as a member of the Assembly any one holding or enjoying, undertaking or executing, directly or indirectly, alone or with another, by himself or by the interpositions of a trustee or third person, any contract or agreement with His Majesty, or with any public officer or department, with respect to the public service of Ontario, or under which any public money of Ontario is to be paid for any service or work, matter or thing.

The printing company, though incorporated, may be termed a "one man company," and its contracts do in fact redound to the profit or loss of the respondent in effect as if they were contracts by him and in his own name; but yet the company is a legal entity, separate from its shareholders. Unless it can be said that the company became merely an alias for the respondent or merely his agent, the company alone, and not he, would be responsible on its contracts, and he could neither sue nor be sued thereon.

Reference to *Salomon v. Salomon & Co.*, [1897] A.C. 22; *Blair v. Haycock Cadle Co.* (1917), 34 Times L.R. 39.

There was here no evidence, beyond the ownership of the shares and the respondent's statement that he controls the company, to warrant a finding that it was only another name for himself, or only his agent; and there was certainly none to warrant a finding that he could have sued for the price of the printing or been sued for any failure in performing the contract.

The respondent did not come within the exception in clause (b) of sec. 12 of the Act, and was expressly relieved by that section.

Both the petition and the cross-petition should be dismissed without costs.