

dite résolution adoptée par le conseil municipal de la corporation défenderesse à sa séance spéciale du 31 août 1917 illégale et l'annule et déclare vacant le siège de maire de ladite municipalité, le tout avec dépens contre la défenderesse.

**ANSON, défendant-appellant v. STARK and others,
plaintiffs-respondents.**

Sale of stocks—Fraud—Delay in attacking—Acquiescence—C. C., art. 993.

The debtor who discovers that he has been deceived in buying the stock of a company, and who is desirous to have his contract set aside, as having been obtained by fraud and false representations, must act promptly; and a delay of three years, if not explained, is not a reasonable delay.

The judgment of the Superior Court is affirmed. It was rendered by Mr. Justice Maclellan, on February 27, 1917.

The respondents' action is for \$7,440.73 being the price of a sale of one hundred share of the capital stock of the Osborne Realty Company Limited sold, on March 28, 1913. The action was instituted on August 25, 1916.

The appellant pleaded in substance that his consent to that contract was obtained by fraud and false representa-

Sir Horace Archambault, Chief Justice, Lavergne, Cross and Carroll, JJ.—Court of King's Bench.—No. 3865-105.—Montreal, December 29, 1917.—Casgrain, Mitchell, McDougall and Stairs, attorneys for appellant.—Heneker, Chauvin, Baker and Walker, attorneys for respondents.