

latoire est renvoyée comme inutile sans frais. Il est en même temps donné acte à l'intervenant d'une admission faite à l'audition que l'intervenant est électeur municipal.

*Dessaulles, Garneau et Vanier, avocats du requérant.*

*Barnard, McKeown et Choquette, avocats du défendeur.*

*Bissonnet et Cordeau, avocats de l'intervenant.*

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### SUPERIOR COURT.

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**Incorporation of company—"Prête-nom"—Interest  
Feigned company—Responsability—Pledge—Value  
of shares—Tender—Deposit.**

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MONTREAL, January 30, 1915.

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MARTINEAU, J.

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SIMPSON v. MONTREAL TRUST COMPANY & AL.

10. Where a charter of incorporation is obtained by a person with the aid of several others or "prête-noms" he having the entire control, risk and benefit of the affairs of the company, he must be held personally responsible for the obligations of this company.

20. Where actions are pledged, the pledgor, when these shares are delivered over to the pledgee after unduly delay, is not entitled to the difference in the value at the time of the delivery and to the highest price to which the stock sold, if he does not prove that he had an offer at that price and was forced to refuse it. Nor can the court, in order to fix the amount of damages in case of delivery, take into consideration the value of the