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Seems "Phunny" Now

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seizure. All parties were made defendants. Defendants applied for discharge of warrant of seizure and gave bond for immediate return of the property. Defendants I. and A. were sureties on such bond. R. obtained money judgment against G. Company and for foreclosure against all defendants. On appeal this was affirmed. Meanwhile the property was sold in case of K. vs. G. Company. Suit is on the bond given, the contention being that the only remedy R. had was available under Section 7550 Compiled Laws, and the bond given had no binding force. HELD: That Section 7550 is for benefit of Sheriff and is not applicable to this cause. Defendants did not litigate validity of warrant obtained by R., but gave bond for immediate restitution of property, and agreed to pay the amount of any judgment recovered, as provided in the second part of Section 7556. The bond became security for any judgment that might be rendered in favor of R., and the obligation of the sureties to pay became absolute with the entry of such judgment.

SEEMS "PHUNNY" NOW

One Berry was arrested for violation of an ordinance prohibiting the use of automobiles between sunset of one day and sunrise of the next. He applied for a writ of habeas corpus, which was discharged. The learned judge (147 Cal. 523) said, in part:

"In the case at bar there is nothing to show the unreasonableness of the ordinance, and the burden is on petitioner to show that it is unreasonable. There is nothing which shows with any particularity what an automobile is, and, of course, a court could not declare unreasonable a regulation about something of which it has no knowledge. . . We may assume to have what is common or current knowledge about an automobile. It's use as a vehicle for traveling is comparatively recent. It makes an unusual noise. It can be and usually is made to go at great velocity—at a speed many times greater than that of ordinary vehicles hauled by animals—and beyond doubt it is highly dangerous when used on country roads, putting to great hazard the safety and lives of the mass of the people who travel in vehicles drawn by horses. Fearful accidents to persons driving animals which are frightened into unmanageable terror are of common occurrence; and while there are usually laws regulating and limiting the speed at which they may be driven, it is a matter of common knowledge that these laws are frequently violated, and that it is exceedingly difficult for officers, even in the day-time, to stop them when going at forbidden speed and arrest the drivers. This would be much more difficult in the night-time. Moreover, in the night-time even those drivers of automobiles who might be considerate of the safety of others would not be able to see an approaching team in time to take the proper precautions. . . Of course, if the use of automobiles gradually becomes more common, there may come a time when an ordinance like the one in question would be unreasonable. As country horses are frequently driven into cities and towns many of them will gradually become accustomed to the sight of automobiles, and the danger of their use will grow less . . but we are not prepared to say judicially that under present conditions the ordinance is so unreasonable as to be void."

NEW YORK'S NEW PAROLE LAW

The New State Parole Law of New York went into effect July 1st, but applies only to those sentenced after that date. The Panel, monthly