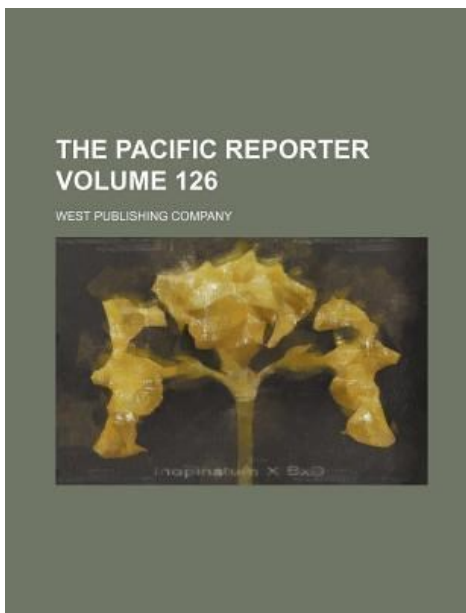


# The Pacific Reporter Volume 126

West Publishing Company



This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1912 edition. Excerpt: ...the bond, because its obligation is conditioned as provided by the laws of Oklahoma. As is said by his honor, Judge KANE, in the opinion of the court: While in a broad sense the school money was a deposit, yet it is clear to our minds that the commissioners of the land office are not such depositors, and the funds which the law permits then to deposit in pursuance of their official duties are not such deposits as that within the provisions of section 323. supra. This being true, and the deposit not in a class with those in section 323, it but strengthens our position that it was an independent act, made in conformity with the law, which was sanctioned by the defendant in error, and for which it was paid, in response to which it obligated itself to see that \$50,000 was reimbursed to the school fund upon default of the principal. Upon what rule is the right of contribution or subrogation denied in this case, but upon the one we invoke under the authority of section 1569? Gratuitous sureties are favored by the law, and all such, when they pay in default of their principals, in the absence of ability to make their principals first respond, are entitled to contribution and subrogation, and can intervene in all proceedings where the subject-matter in which they are interested is at issue. We recognize this right in its fullest scope but when we are called upon to assent to the proposition, under the conditions of this record, that a surety can intervene, at least without first paying the penalty it has obligated itself to discharge, we must be permitted to dissent. The benefit legislation, designed to inspire interest in the state banks and to reawaken the confidence of the people that a deposit of their earnings would...

- [Ozone Layer](#)
- [PAINS ET CONFITURES FACILES](#)
- [Oxf PB Dict Aust and Mod Eng Usage Pack](#)
- [Paesaggi perduti. Campania 1943. Ediz. italiana e inglese](#)
- [Oxford Successful Tibalo: Gr 3: Workbook](#)