

JUAN ARANETA, PETITIONER, VS. THE HEIRS OF TRANQUILINO GUSTILO, RESPONDENTS.

G.R. No. 1228. March 10, 1903

Ponente: LADD, J.

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LADD, J.:

This is a petition for a writ of certiorari to review the action of the Court of First Instance of Occidental Negros in requiring a supersedeas bond under section 144 of the Code of Civil Procedure. It does not appear from the petition what the amount involved in the litigation is, nor in what sum the bond was fixed by the court, but it is alleged that the bond is excessive. The court below had jurisdiction to require the bond as a condition of a stay of execution, and to fix its amount. Assuming that the bond was excessive, yet nothing is alleged in the petition which shows that the court exceeded its jurisdiction in the premises or committed any irregularity in its proceedings in exercise thereof. The writ must therefore be denied. (Code of Civil Procedure, sections 514, 217, 220.) So ordered.

Arellano, C. J., Torres, Cooper, Willard, and Mapa, JJ., concur.

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