

LAND TITLE AND DEEDS. Narciso Peña. Central Law Book Supply Inc., 1951, Pp. 457, Leather-bound. P25.00. Distributed by Central Book Supply, Inc.

Designated both as a simple but comprehensive text-book for law students, and as a handy reference book for practitioners, this book on Land Title and Deeds, written by a well-known law professor and author, is recommended as a worthy addition to one's law library. The author's systematic and exhaustive treatment of the subject facilitates research on any given point; his clear-cut and simple exposition of the matter, paves the way to an easier and better understanding of the law on land registration by the student. This work, incidentally, is allied to the shorter and abridged, Guide to Studies in Land Titles and Deeds, written by the above named author in conjunction with Antonio Noblejas. Being in printed form and leather-bound, it can be handy and lasting.

This text-book purports to be a complete treatment of the law and jurisprudence affecting titles to real estate and all legal incidents connected thereto. All laws affecting title to real estate—the Land Registration Act, the Cadastral Act, the provisions of the Spanish Mortgage Law of 1893 which have survived the change of sovereignty, the Public Land Act, provisions of the Revised Administrative Code and pertinent provisions of the new Civil Code—are carefully considered and explained in this book. In addition the author has endeavored to point out the relationship of these laws with each other, besides showing the provisions which have been repealed or abrogated.

The author's treatment of the subject wisely starts with a brief history of the concept of ownership lands and the registration of title to real estate from ancient times to the present. This exposition coupled with the clear definitions of the different terms that were to be used and the succinct but thorough explanation of the various concepts involved help to make the student understand the subject better. It affords the student a chance to get a more solid grasp of the fundamentals of the law.

The main bulk of the book, however, is devoted to the study of the different systems of land registration enforced in the Philippines.

The Spanish Mortgage Law of 1893, although Spanish in origin, continues to be applicable to lands originally registered under the said law and have not yet come within the purview of the Torrens system. This system is considerably explained in this book.

The Torrens system, governed by Act No. 496, otherwise known as the Land Registration Act, takes up the greater portion of this book. The topical presentation of the law and jurisprudence involved in the Torrens system will surely help the student to understand the said system and aid the practitioner in his research for authorities.

In his presentation of the subject, the author has carefully digested the leading cases designed to illustrate the important provisions of the law, set forth the doctrines enunciated therein clearly and concisely, and pointed out the different doctrines and rulings which have been rendered obsolete by later decisions. The effects of the new provisions of the Civil Code are, furthermore, explained and the repealed provisions of the Land Registration Act singled out. The treatment of the law is not confined to the manner of registration, the issuance of the certificate of title, the assurance fund, etc. The legal incidents connected with the title to real estate are also taken up, such as conveyance of title, transmission by descent, trust and power of attorney, lease, real estate mortgage, and even chattel mortgage, for as the author said, "our knowledge of mortgage in general may not be complete without a sufficient understanding of what chattel mortgage is." In connection with registration of title to real estate under the Torrens system, two other allied laws are taken up for "the rights acquired under Act No. 2259, otherwise known as the Cadastral Act, as amended, as well as under the Public Law Act, come within the purview of the Torrens system."

The other system of land registration considered is that covered by the provisions of the Revised Administrative Code and governs lands which are registered neither under the provisions of the Land Registration Act nor the Spanish Mortgage Law.

Three noteworthy features make this book outstanding: first, the incorporation in the appendix of the Land Registration Act, the Cadastral Act and the Public Land Act; second, an alphabetical list of the important cases in land registration and mortgage; and a chapter illustrating the different legal forms which are connected with title to real state, such as the application for registration, the different motions connected thereto, deed of sale of registered and unregistered land, real estate mortgage, lease, power of attorney, etc.

Acquiring this book would be a wise investment.

Isaias Fernando, Jr.

HINTS ON THE TRIAL OF A LAWSUIT. By Rolla R. Longenecker. The Lawyers' Co-operative Publishing Company, Rochester, N.Y. 1947. Pp. 314. Leather-bound, P12.00.

The subtle but tremendous fact that distinguishes human animal life is that the homo can consciously hand on his acquired experience to the next generation. Thus and thus only has mankind been able to achieve progress. The fundamental means of progress has been the use of this generation's experience by the next one. Every individual owes it to the next generation to pass onwards this benefit

of experience. All the Applied science, Law, Medicine, Engineering though based on a complex of transmitted general truths, acquired by study, depend for their final operation on experience in their application. This because they deal more or less with human nature as their material. This human nature which is now termed "psychology" but which is as old as the law and Quintilian, two thousand years ago, wrote a still useful book on the human nature of a lawyer's practice.

The human nature with which a lawyer deals is first, his own human nature and secondly, other people's. He has first to study his own handling of himself in his practice and secondly, to study the behavior of the judges, clients, witnesses and other lawyers with whom his daily work requires him to deal.

This book is a public benefit. If only the young lawyers for whom it is intended would not merely read it but believe it and master it and act on its advice, the next generation of practitioners would achieve in this field an appreciable stage of real progress, that progress which is the distinguishing privilege of the human race.

The purpose of this book has been to set down in very simple language some important guides in order to assist a young lawyer to be a good trial lawyer.

The author of this book has tried to keep in mind the lawyer who seeks information to prepare himself for trial work.

The most difficult part of trial work is the examination of witnesses before and during the trial and therefore, much detail is given under the many types of witnesses.

Efforts have been made to state what to do rather than what not to do.

The general incidents arising during the trial are detailed from the time the cause is placed on the trial call until the final entry of the judgment. The required action and motions to protect a client's rights preparatory to an appeal in case he is not satisfied with the result of the trial are noted.

Witnesses are arbitrarily divided into fourteen main groups, arranged in alphabetical order for quick location and study purposes. Each group is analyzed and defined generally, then special types are defined and analyzed, each group is commented upon under the following plan:—

First: The witness is defined and discriminated from the other kind.

Second: His characteristics are pointed out.

Third: Hints on how to control the type of witness for examinations in chief are given in detail.

Fourth: Hints for the cross examination of the types are noted.

Each type is treated fully to avoid the annoyance of referring to other types that overlap, and to assist one in quickly securing

necessary information of the particular type under observation.

The student always profits through study. The fluent, clever lawyer relies too much upon his natural talent and with success becomes lazy. The ideal lawyer is a student. He exercises patience, prepares for each new conflict in court and thus increases his ability and skill while his clever, talented and lazy opponent becomes less and less clever from lack of brain exercise.

It is hoped that the student who desires to become proficient in trial work will be benefitted by the study of this outline.

Ignacio Macrohon, Jr.

THE CHRISTIAN STATE. By Augustine J. Osgniach, O.S.B. Ph.D.
The Bruce Publishing Co., Milwaukee.

In the alternately cold and hot battles between states of the modern world, there is one element often forgotten, usually trodden upon, or at least generally pushed around. It is the individual, for whom—remember?—states were established.

"The Christian State" by Fr. A. Osgniach forms part of that long, rich procession of Catholic books on the nature of the state. The subject matter is political science; the core is the individual; the viewpoint is Catholic.

The book corrects the wrong notion many people have about the state by correcting their wrong notions about the individual. States arose for the welfare of individuals. The only true concept of an individual, the author points out is that concept held by all great Catholic philosophers of all time. Applying the combined fruits of the philosophical geniuses of St. Thomas Aquinas, Suarez, and others, the "Christian State" points out clearly and forcefully that in considering the relation of the state to the individual, utmost care should be taken that the individual is taken in the fullest sense of the term. It should be the individual with body and soul, not the individual who would be worthy of nothing more than being a cog in the state machine. It should be the individual with his various relations to creation, his fellowman, and to his Creator. In the last analysis, one should always keep in mind the axiom that "the state is created for time; the individual is created for all eternity." With this standard, the author proceeds to investigate the various forms of modern states. He demonstrates whether these states or the philosophy that underlies it measures up to this standard or not. In that way, "the Christian State" contains a clear comparison between the correct and the incorrect opinion.

The book also probes into the relation of the state to the activities of individuals, to his religion, to his social life, to his possession of property, to his right to form organizations. "The Christian