

cation of materials and handily arranged under self-explanatory topic headings, it is one of the few extant testaments to contemporary Filipino legal scholarship.

PHILIPPINE ANNOTATED LAWS. First Five Volumes by the Lawyer's Co-Operative Publishing Co. Manila: The Lawyer's Co-Operative Publishing Co., 1956. Vol. I—Pp. xxi, 528; Vol. II—Pp. xxi, 521; Vol. III—Pp. xxi, 499; Vol. IV—Pp. xxi, 567; and Vol. V—Pp. xxi, 443. P48.00 per volume.

For a long time we stood in need of a modern up-to-date compilation of the statute law in the Philippines. This work is the answer. At long last it has been executed with superb skill and precision by a select staff of a publishing company which has distinguished itself in the field of legal service both in this country and in the United States. It is interesting to note that the same publisher successfully undertook the publication of the Philippine Reports and the Philippine Digests.

This work is the first attempt to put together in one place the mass of general statutes scattered in annual statute volumes and old issues of the Official Gazette. Our general statutes are not only scattered in multiple and ponderous volumes, thus making legal research inherently tedious and difficult, but their copies have been reduced to rarity by age, wear and tear, and specially, by the last war. "Paper yellows and crumples with age, bindings disintegrate, even the printed word fades. And were time alone not enough, in the Philippines the ravages of war implemented the process with relentless destruction. Not alone did precious landmarks become rubble; irreplaceable records went with them, burned, hopelessly mutilated, and buried in the ashes. As a result, many of the pre-war statute books, reports of decisions, and older issues of the Gazette are now generally unavailable, and some of them are so rare as to be virtually inaccessible." This work therefore, which the reviewer believes is the greatest step towards post-war rehabilitation of our war-and-age-depleted statute books, is most welcome.

The subject of this review are the first five of an expected set of twenty volumes. The rest are still in the process of editing and printing. The publisher expects to put out, ready for use and delivery, the succeeding volumes at the rate of one volume per month hereafter.

This work undertakes three major things. First, it compiles the statute laws of the Philippines consisting of the Public Acts, the Commonwealth Acts and the Republic Acts of a general and permanent nature. Second, it annotates such general statutes with all the pertinent decisions of the Supreme Court of the Philippines down to June 1, 1955. Third, it pre-

sents a general index embracing the entire body of the Philippine Statute Law including all the Codes, the Constitution and Organic Acts.

The *Philippine Annotated Laws* (PAL) gives under obvious or popular titles, alphabetically arranged and annotated, all acts of the Philippine Legislatures, including the Philippine Commission, the "Public Acts," the "Commonwealth Acts" and the "Republic Acts," as amended and in force as of January 1, 1956. The New Civil Code, the Revised Penal Code and the Code of Commerce have been purposely excluded. For these omissions the publisher gives the following reasons: "Since there is in prospect further revision of some of these Codes, and since there are existing publications of these codes in the hands of the Bench and the Bar, the publisher feels that it is unwise to add the cost of these Codes to this set, at least until the situation is clarified or demand for them becomes manifest." In addition to all the statutes of a general and permanent nature this work includes:

- (1) The Revised Administrative Code, with history notes, cross references and editorial comment, and annotated with decisions of the Philippine Supreme Court.
- (2) The Constitution of the Philippines, annotated with decisions of the Philippine Supreme Court and the United States Supreme Court.
- (3) Certain Organic acts and treaties forming part of the juridical background.
- (4) Executive Orders of general application and currently in force.
- (5) Tables showing the distribution in the Annotated Laws of the general and permanent Acts now in force, and indicating the disposition of those Acts that are not included in this compilation.
- (6) A complete and thorough General Index to the General Statutes, the Constitution and to all the Codes now in force.

The acts have been arranged alphabetically under eighty three legal titles containing approximately 10,000 sections. "Thus such statutes as are now alive and cogent have been taken out of mere seriatim arrangement according to date of enactment and rearranged under commonly accepted legal titles, familiar to the Philippine Courts and Bar."

Outstanding features of this work are the following:

Source Notes — "Following each section of the statute under the caption 'History: Source' is given the legislative history showing the number of the Act from which the section is taken, its effective date, as well as any and all amendments thereto, identified by Act number and section."

Cross References — "Throughout the *Philippine Annotated Laws* the user will find numerous and adequate external cross references, referring

to related sections of different titles of this Codification and to related provisions of all the Codes, the Rules of Court and the Constitution as well as internal cross references referring to related sections and subject matter within the same title. The objective is to tie together all pertinent Philippine law."

References "to other publications are to be found throughout the *Philippine Annotated Laws*, including references to Philippine legal works, to American Jurisprudence, and to the many exhaustive annotations to American Law Reports dealing with statutory provisions of the United States or of particular States of the Union."

Executive Orders, Proclamations and Regulations — "If a statute has been implemented by executive order, proclamation, or regulation of general application and interest, information concerning which has come to the publisher through extended search of the Gazette files or otherwise, the administrative edict is referred to in connection with the statute to which it applies. This, likewise, is to guard against oversight; for in this age of administrative law such orders and collateral interpretations often have the force of the law itself."

Annotations — "One of the most valuable features of the *Philippine Annotated Laws* is the annotations following the various sections of the Laws. What the Supreme Court of the Philippines has said or decided concerning the construction or application of a statutory provision is as vital a part of jurisprudence as the words of the legislature. Hence each section with which the Supreme Court has dealt is annotated with summaries of the decisions of that court.

"These annotations contain all pertinent decisions of the Supreme Court of the Philippines down to June 1, 1955; they include not only the cases reported in the Philippine Reports, volumes one to eighty, and the decisions of that court reported in the Philippine Gazette, and not yet reported in the Official Reports, but in addition, the many recent decisions of the Supreme Court which up to the present time have not been reported either in the Gazette or the Official Reports.

"The Annotations to the Philippine Constitution include not only decisions of the Philippine Supreme Court interpreting and applying the provisions of that Constitution, but decisions of the United States Supreme Court applying and interpreting analogous provisions also are conveniently arranged under logical analyses and catch lines; furthermore, they are arranged to show separately the decisions of the Philippine Court and the decisions of the United States Supreme Court."

Indexes — "A feature of special interest in the *Philippine Annotated Laws* is that each volume of the General Law contains an index in the back of the volume to the contents of such volume. There are also separate

indexes to the Constitution and to the Administrative Code. These volume indexes provide detailed information as to content of the volume in hand without the necessity of recourse to the General Index; they also permit replacement of individual volumes when subsequent legislation renders them too bulky, or obsolete, without disrupting the General Index.

"The 'General Index,' of the descriptive word index type, covers all the fundamental and controlling law, whether it is to be found in the Constitution, in the General Laws, the Rules of Court, or in the Civil Code, the Penal Code, the Code of Commerce, or the Administrative Code.

"A 'Word Index' such as this is made from line-by-line reading of the text of the statutes. Topics and lines are drawn for each significant term, with particular emphasis on factual terms and catch words. Such index enables one to locate the pertinent section of the statute, no matter from what angle he approaches it or no matter how obscure the text of the statute is.

"Ample cross references — both internal references to matters within the same topic and external references to matters in other topics — are given between synonymous terms and between words carrying similar material."

Distribution Tables — "Still another special feature of this compilation is a complete Statute Disposition and Distribution Table, which shows what has happened to every law of the Philippines since the earliest days of the Philippine Commission, and where it appears in this compilation if any part of it is still of force. If it is omitted as purely local, temporary, or repealed this Table explains why."

This work is to be appreciated by its several outstanding features. Undoubtedly, what deserves first mention is the imaginative arrangement and highly skilled editorial direction of James M. Henderson, of the Illinois Bar, who made the final compilation, the preparation of the annotations, the cross references and the indexes. "Mr. Henderson was deemed specially competent for the task by reason of broad experience in the preparation of annotated editions of the statutes of Michigan, Illinois, New York, California, Rhode Island and Utah. His editorial accomplishments in the field of state and federal practice and procedure, the law of evidence, corporations, income taxation, bankruptcy, labor legislation, and wills and estates, provide unusually intimate knowledge of problems of statutory construction and constitutional law."

The mechanics of each volume is admirable. It is printed and arranged with the Lawyer's Co-Operative's customarily neat, clear, attractive and easily readable format.

Upon completion of this work the Bench, the Bar and the students of law shall have a "modern up-to-date compilation of the statute law of the

Philippines. a statutory service comparable to New York Consolidated Laws Service, Deering's California Codes, the United States Code Annotated and similar American Annotated Services." The Bench, the Bar and the students of law will not but find themselves permanently indebted to the Lawyer's Co-Operative Publishing Company Incorporated for having brilliantly and successfully undertaken a job long felt and recognized to be needed.

The succeeding volumes bringing this work to completion will no doubt be eagerly expected.

BAR EXAMINATION QUESTIONS FOR 1956

CIVIL LAW

- I. Distinguish:
 - (a) Dowry from paraphernal property;
 - (b) Thing from property;
 - (c) Alluvion from avulsion; and
 - (d) Testamentary capacity from testamentary power.
- II. (a) What is your concept about prestation?
 (b) *A* orally agreed to pay the balance of his account under date of January 3, 1954, one year thereafter, although in a previous written agreement there was a stipulation that said balance was payable two years from January 3, 1954. Can *A* be compelled to comply with his verbal agreement? Give your reasons.
- III. (a) What divorce, if any, absolute or relative, is recognized in the Philippines at present?
 (b) What is the latest provision of law illegalizing marriages among relatives?
- IV. *A* was lawfully married with *B* in December of 1950. As he was a government employee, he submitted an information sheet to the Government Service Insurance System on January 2, 1952 for purpose of membership thereof. In the information sheet, aside from his one legitimate child with *B*, he mentioned the name of his child *C* begotten with another woman and born out of wedlock on June 30, 1948. *A* untimely died on January 2, 1953, and as a consequence *B*, together with her one child with *A*, filed a claim with the Government Service Insurance System for the proceeds of the life insurance of *A* whose beneficiary was his estate. Similarly, *C* with the aid of his mother, filed a claim for said insurance proceeds, claiming that he was an acknowledged natural child of *A*. If you were the legal counsel of the System will you entertain *C*'s claim which was objected to by *B* and her child on the grounds that *C* was born before the effectivity of the new Civil Code and that the recognition was not made in an authentic writing? Reason out your answer.
- V. (a) May one donate a certain property and at the same time retain it?
 (b) *A* conveys the ownership of a certain real property in favor of *B*, reserving unto himself (*A*) during his lifetime the share to the fruits or produce thereof, with the statement in the deed that the act is irrevocable. Is the donation mortis causa or inter vivos?
- VI. (a) What is the restriction imposed by the new Civil Code upon the industrial partner?