

## BOOK NOTES

COMMENTS AND JURISPRUDENCE ON OBLIGATIONS AND CONTRACTS. By Desiderio P. Jurado. Manila: Central Book Supply, Inc., 1959. Pp. xxxi, 502. P——.

Civil Law, one of the harder subjects in the bar, has always a "welcome mat" at its door for good books or works thereon. More so, when the "visit" is made to one of its more important branches. Obligations and Contracts is one. The "subject of Obligations and Contracts pervades the entire social structure." Our "visitor" is Professor Jurado's Comments and Jurisprudence on Obligations and Contracts.

Like most of its kind, this volume reproduces the provisions of law on Obligations and Contracts, more specifically Titles I to V of Book IV of the new Civil Code, in the order of their codal appearance. They are printed in bold for emphasis and apparently to facilitate memory work. Jurisprudence thereon, as well as commentaries of eminent civilians (or civilists), like Manresa and Sanchez Roman, are amply provided. Leading cases illustrative of the application of particular provisions of law are discussed at length. Legal precepts are also correlated now and then.

Primarily intended for undergraduates and bar candidates, but without sacrificing possible research assistance to the Bar and the Bench, it is a worthy characteristic of this work to omit cases and commentaries and details no longer controlling or might serve only to confuse.

Subject-treatment is done in great style. Concept, definition, requisites, basis, classification — in that order when proper. No important detail that lends to easier assimilation and deeper insight is left unturned. Certainly, into this work the author has brought "the wealth of experience he has gained as a respected scholar and teacher of law."

In the words of Dean Salonga of the Far Eastern University Institute of Law, this book "supplies an acute need for a manual that is well-grounded, comprehensive and balanced in treatment."

On our part, we say: the "welcome mat" is well-placed — the "visitor" most welcomed.

COMMENTS AND JURISPRUDENCE ON SUCCESSION. By Desiderio P. Jurado. Manila: Central Book Supply, Inc., 1959. Pp. xxv, 487. P——.

Succession is admittedly the harder portion of Civil Law. The distribution of successional rights has always been a graveyard in the classrooms

and in the bar. Refugees from Mathematics in the law course especially find themselves trapped in this subject.

Many books have been written on Succession. But almost as many failed in their avowed purpose of elucidating the law, either for being too scholarly as add more confusion or too simple as leave desirable details. Indeed, a quest has been on for the "holy book" on Succession. We come upon Professor Jurado's Comments and Jurisprudence on Succession.

Physically, the book is sectioned as the law on Succession is in the Code, printed and composed in the fluid style of his Comments and Jurisprudence on Obligations and Contracts, and as equally comprehensive.

Clarity is an important asset of this work. It is "expurgated of all the trimmings of a scholarly treatise which unfortunately have a tendency to confuse, rather than clarify." To explain important provisions of law, problems solved by the author himself are posed. Thus:

Art. 992. An illegitimate child has no right to inherit *ab intestato* from the legitimate children and relatives of his father or mother; nor shall such children or relatives inherit in the same manner from the illegitimate child.

Problem — A died intestate survived by the following children:

- (a) B, legitimate child of a deceased legitimate son;
- (b) C, illegitimate child of a deceased legitimate daughter;
- (c) D, legitimate child of a deceased legitimate son; and
- (d) E, illegitimate child of a deceased illegitimate daughter.

Can such children inherit from A by right of representation?

Answer — B, D and E can inherit from A by right of representation, but C is excluded from the succession because under Art. 992 of the Civil Code, an illegitimate child cannot inherit from the legitimate relatives of his natural parents.

Where different theories attend matters of distribution, as for instance, where illegitimate children survive with legitimate children, a specific problem is posed, all the various theories presented, and the difficulty analyzed and resolved. Diagrams are also provided to illustrate degrees of relationship between successors. A table of intestate succession showing the share and the division under different sets of survivors is also provided. These ways surely make clear and easier for law students the most "complicated and yet most interesting branch of Civil Law."

This book deserves the library of all.