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UNIVERSIDADE DE SÃO PAULO

Departamento de Cultura e Ação Social

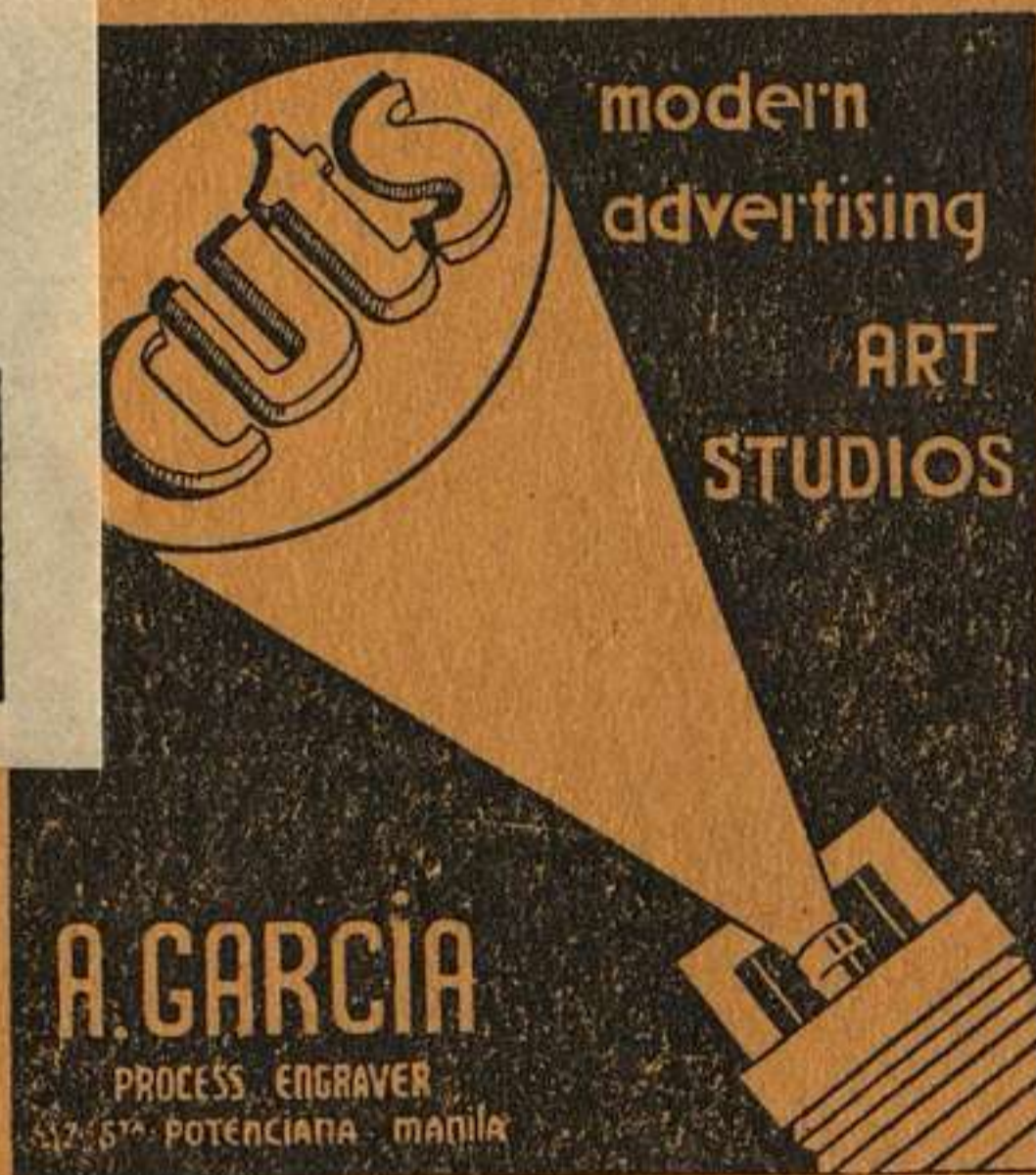
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THE HISTORY OF TAGALOG LITERATURE

By EUFRONIO M. ALIP, Ph. M., Ph. Litt. D.

Every Santo Tomas Student should read this masterful treatise on our
century-mellowed institution.

A la cuarta pregunta dijo que es público y notorio cómo en dicho Colegio de Santo Tomás se hacen informaciones de limpieza para haber de recibir a alguno para colegial, y hallándose alguna raza mala de judío, moro o indio o penitenciado por el Santo Oficio no se admite, y que sabe cómo en dicho Colegio siempre ha habido y hay Colegiales de lo más honrado y lucido de estas Islas. Y esto responde.

A la quinta pregunta dijo que sabe cómo los dos mejores bonetes que se conocen en estas Islas, así en púlpito como en Cátedras, son hijos de este Colegio, como son el Dr. Dn. Juan Fernández de Ledo, Chantre de la Iglesia Catedral Metropolitana de este Arzobispado, Juez Provisor y Vicario General de él en sede vacante, y el Dr. Dn. Alonso Zapata, Maestrescuela de la misma Catedral, Juez Comisario Apostólico Subdelegado general de la Santa Cruzada en estas Islas, grande sujetos en el púlpito y en Cátedras, de los mayores que se han conocido, fuera de otros que están en las Religiones, honrándolas así en el púlpito como en cátedra; y otros muchos Maestros de grande ingenio y capacidad. Y esto responde.

A la sexta pregunta dijo que sabe cómo para enseñanza y educación de los Colegiales de dicho Colegio ha tenido y tiene la Sagrada Orden de Sto. Domingo en él los Religiosos de más letras y virtud de su Provincia, de los cuales han salido muchos para el reino del Japón donde dieron la vida gloriosamente por la predicación del santo Evangelio, y que actualmente están en dicho Colegio dos Religiosos hijos de él desde sus primeras letras regentando las dos Cátedras de la Universidad de Prima y Vísperas de Teología, y esto responde.

A la séptima pregunta dijo que es verdad lo que en ella se dice, a que se refiere, y esto responde.

A la octava pregunta dijo que es muy constante, público y notorio las muchas limosnas que dicho Colegio reparte en el discurso del año así en pobres mendicantes como en vergonzantes, fuera de lo cual acude todos los días con comida a los presos en los calabozos que no tienen quién se la dé, y que en dicho Colegio se da de comer todos los días a los pobres soldados de Su Magestad que vienen a él a comer, y esto responde.

A la nona pregunta dijo que lo susodicho es público y notorio, y que no le tocan las generales, y que en ello se ratifica so cargo del juramento hecho, y que es de edad de cuarenta y siete años. Y lo firmó de que doy fe.

Br. Pedro Flanio.

Ante mí

El Br. Andrés de Fuentes

Notario público.

Testigo Hernando de Casanova. En la Ciudad de Manila en 21 de Diciembre de 1649 años, el dicho P. Procurador General para la dicha Información presentó por testigo al Sargento Hernando de Casanova, vecino de esta Ciudad, del que en virtud de la comisión que tengo

ERRATAS. En la página 55, al final, la primerea de las firmas debe decir: **Dor. Ioannes Fernandez a Ledo.**

En la página 64, al principio de la declaración de Pedro Flanio, en lugar de la línea 4 debe leerse lo siguiente: **al Bachiller Pedro Flanio, Canónigo de la Catedral...**

recibí juramento en forma de derecho por Dios N. S. haciendo la señal de cruz, so cargo de lo cual prometió de decir verdad en lo que supiere y fuere preguntado, y siéndolo al tenor del dicho interrogatorio dijo lo siguiente:

A la primera pregunta dijo que ha tiempo de cuarenta y cinco años que está en estas Islas Filipinas y que en este tiempo ha oído decir y visto que antes de la fundación de este Colegio de Santo Tomás había falta muy grande de los ministros clérigos, y que después que se fundó hay muchos muy capaces para serlo, y grandes predicadores, y muchos graduados de Doctores y Maestros. Y esto responde.

A la segunda pregunta dijo que sabe que este dicho Colegio sustenta número de Colegiales, no sabe el que es, sólo que es grande, fuera de otros manteistas de limosna, y por amor de Dios, por sola caridad, y esto sabe por la continuación que tiene este testigo en este Colegio. Y asimismo dice que ha oído decir que a algunos de ellos les acude el dicho Colegio con el vestido y lo necesario, y esto responde.

A la tercera pregunta dijo que sabe que ha recogido este Colegio a algunos Colegiales que han salido del Colegio de San José, y que actualmente hay de ellos, y que son hijos de padres honrados que conoció en esta tierra, mas que no sabe por qué hayan salido del Colegio de San José, y esto responde.

A la cuarta pregunta dijo que sabe cómo en dicho Colegio se hacen informaciones de limpieza para haber de recibir en él al que hubiere de ser Colegial, y esto ha visto con sus ojos y oído, y cómo ha visto en el dicho Colegio hijos de gente principal y honrada, y esto responde.

A la quinta pregunta dijo que de los buenos sujetos que hay en esta Ciudad han salido de este Colegio y han sido hijos de él, y esto responde.

A la sexta pregunta dijo que la sabe porque siempre ha visto en este Colegio número de Religiosos de los más graves y doctos que tiene la Provincia del Santo Rosario para educación y enseñanza de sus Colegiales. Y que algunos de ellos han pasado al Japón, donde dieron la vida por nuestra santa Fe. Y asimismo sabe cómo están leyendo en dicho Colegio dos hijos de él las Cátedras de Prima y Vísperas de Teología, el uno llamado el R. P. Fr. Pedro de Ledo, y el otro el R. P. Fr. Francisco de la Trinidad, Comisario del Santo Oficio, y esto responde.

A la séptima pregunta dijo que es verdad como en ella se contiene.

A la octava pregunta dijo que sabe muy bien que en dicho Colegio se reparten muchas limosnas así a pobres vergonzantes como mendicantes, y pobres soldados que vienen a comer a él se les da la comida de por amor de Dios, y a algunos vergonzantes se les envía a su casa, y a muchos que están presos en los calabozos y cárceles. Y esto lo sabe este testigo por la mucha comunicación que ha tenido con el Hermano Procurador del dicho Colegio y que acudía a algunos negocios del dicho Colegio, y esto responde.

A la nona pregunta dijo que lo susodicho es público y notorio, y que no le tocan las generales de la ley, y que en ello se ratifica so cargo del juramento que hecho tiene, y que es de edad de setenta y cinco años, y lo firmó de su nombre, de que doy fe.

Hernando Casanova

Ante mí
El Br. Andrés de Fuentes,
 Notario público.

Por testigo el Canónigo Diego de Veas (23). En la Ciudad de Manila en 10 días del mes de Enero de 1650 años el dicho P. Procurador General para la dicha información presentó por testigo al Bachiller Diego de Gaztelu, Canónigo de la Catedral de dicha Ciudad, del cual en virtud de la comisión que tengo recibí juramento en forma de derecho **in verbo sacerdotis** poniendo la mano sobre el pecho juró de decir verdad en lo que supiere acerca de la información para la que es presentado, y siendo preguntado al tenor de dicho interrogatorio, dijo lo siguiente:

A la primera pregunta dijo que sabe, por haberlo oído así decir, cómo antes que se fundara dicho Colegio de Santo Tomás había falta de sujetos en la clerecía, por lo cual acudieron Religiosos de la Orden de Santo Domingo, el R. P. Fr. Bernardo de Santa Catalina, Comisario del Santo Oficio, y después de él el R. P. Fr. Domingo Gonzalez, Comisario asimismo del Santo Oficio, a la Catedral de esta Ciudad de Manila a leer casos morales de conciencia, mas que en la era de ahora conoce muchos hijos de dicho Colegio muy capaces, no sólomente para administrar los Santos Sacramentos, sino para el púlpito y la cátedra. Y esto responde.

A la segunda pregunta dijo que sabe y es constante en toda esta Ciudad cómo dicho Colegio y Universidad de Santo Tomás sustenta un gran número de Colegiales de limosna sin otros manteistas, sin que por ello reciba emolumento alguno, antes bien a los necesitados se les acude con lo necesario para el vestido. Y esto responde.

A la tercera pregunta dijo que ha oído decir que algunos Colegiales que expele el Colegio de San José por no tener sus padres o parientes cien pesos con qué pagar la colegiatura se reciben en el Colegio de Santo Tomás por sólo Dios y caridad, sin esperar más paga que su aprovechamiento. Y esto responde.

A la cuarta pregunta dijo que es público y notorio en toda esta Ciudad cómo en dicho Colegio de Santo Tomás para haberse de recibir a alguno a la beca preceden primero rigurosas informaciones de limpieza, y que si se halla tener algo de moro, judío o indio, etc., no se admite en dicho Colegio para Colegial. Y dice más: que ha conocido y conoce en dicho Colegio Colegiales hijos de los más lucidos y honrados de esta Ciudad. Y esto responde.

A la quinta pregunta dijo que es verdad como en ella se contiene, porque los mejores sujetos que se conocen en las Islas Filipinas en el Clero son hijos de dicho Colegio, como son el Dr. D. Juan Fernández de Ledo, Chantre de la Catedral y Juez Provisor y Vicario de este Arzobispado en sede vacante, y el Dr. D. Alonso Zapata, Maestrescuela de dicha Catedral y Comisario Subdelegado General de la Santa Cruzada en estas Islas, sin otros que están, así en el Clero como en las Religiones, sirviéndolas y honrándolas, así en el púlpito como en la cátedra. Y esto responde.

A la sexta pregunta dijo que ha conocido estar en dicho Colegio de los mayores sujetos de la Religión de Santo Domingo. Y así mismo sabe que algunos Lectores de dicho Colegio han sido ilustres mártires en el Japón, y que actualmente conoce a los dos Lectores de Teología, de Prima y Vísperas, que fueron hijos de dicho Colegio y Colegiales en él. Y esto responde.

A la séptima pregunta dijo que es verdad como en ella se contiene que dicho Colegio tiene un clérigo Sacerdote de mucha virtud Maestro en Artes para enseñar a niños hijos de padres honrados a leer, escribir, contar, etc., y la doctrina cristiana. Y esto responde.

A la octava pregunta dijo que es público y notorio en toda esta Ciudad las limosnas que dicho Colegio reparte así a pobres mendicantes como vergonzantes, acudiendo todos los días con comida a los pobres que están en los calabozos, que sin duda alguna perecieran sino fuera por las limosnas que dicho Colegio les hace, y que ha oído decir que para poder hacer dichas limosnas los Religiosos, Rector y Lectores que en dicho Colegio viven dice cada uno doscientas Misas para sustentarse con la limosna de ellas. Y esto responde.

A la nona pregunta dijo que todo lo que dicho tiene es público y notorio, pública voz y fama, so cargo del juramento que hecho tiene, en que se afirmó y ratificó, y que no le tocan las generales, antes bien, dicho declarante fué Colegial y se crió con los Padres de la Compañía, y declaró ser de edad de cuarenta y cuatro años. Y lo firmó de que doy fe.

Br. Diego de Gaztelu

Ante mí

El Br. Andrés de Fuentes,
Notario público.

Por testigo el Capitán Antonio de Lezama. En la Ciudad de Manila, en 10 días del mes de Enero de 1650 años el dicho Padre Procurador General para la dicha información presentó por testigo al Capitán Antonio de Lezama, vecino de esta Ciudad, del que en virtud de la comisión que tengo recibí juramento en forma de derecho por Dios Nuestro Señor haciendo la señal de la cruz so cargo del cual prometió de decir verdad en lo que supiere y fuere preguntado, y siéndolo al tenor del dicho interrogatorio dijo lo siguiente:

A la primeera pregunta dijo que este declarante vino de España a estas Islas después de ya fundado dicho Colegio de Santo Tomás, y así por esto como por haber sido su ejercicio militar ocupándose en él no ha sabido si antes que se fundara dicho Colegio había o no sujetos en el Clero capaces de la administración de los santos Sacramentos, mas lo que sabe es que ahora hay en él muchos no sólo capaces de esto, sino para el púlpito, y que algunos de ellos podían regentar cátedras, y esto responde.

A la segunda pregunta dijo que sabe ser cierto y constante a esta Ciudad tener dicho Colegio y Universidad número de Colegiales, a los cuales sabe sustenta de limosna, dándoles lo necesario de casa y comida, y a algunos necesitados el vestido, medias y zapatos, y que también tiene algunos manteistas, sin que de unos ni otros reciba alguna cosa, antes les socorre como queda dicho. Y esto responde.

A la tercera pregunta dijo que sabe dicho Colegio haber recibido algunos Colegiales que lo han sido en el Colegio de San Jose de los Padres de la Compañía, y que se hace con ellos lo que con los demás, sin interesar más que el fin y bien suyo. Y esto responde.

A la cuarta pregunta dijo que sabe y es notorio a esta Ciudad el que los que reciben en dicho Colegio para Colegiales dan información de limpieza y que no teniendo la calidad que se requiere no los admiten aunque parezca se sigue alguna conveniencia, y así conoce haber en dicho Colegio personas señaladas en calidad y demás buenas partes. Y esto responde.

A la quinta pregunta dijo que conoce sujetos de los más aventajados, y los más de estas Islas y República ser hijos de este Colegio, como el Dr. D. Alonso Zapata, Canónigo por su Majestad en la Santa Iglesia Catedral, Maestrescuela y Comisario Subdelegado General de la Santa Cruzada en estas Islas, y al Dr. D. Juan Fernández de Ledo, Chantre de dicha Catedral, Juez Provisor y Vicario de este Arzobispado en sede vacante, sin otros así en la Catedral como en Conventos religiosos lucidos en ministerios y púlpito. Y esto responde.

A la sexta pregunta dijo que en dicho Colegio y Universidad ha conocido estar y enseñar los mayores sujetos y de más general opinion que la Orden de Predicadores ha tenido y tiene en esta Provincia, como fué el R. P. Fr. Domingo Gonzalez, Comisario del Santo Oficio, el R. P. Fr. Francisco de Paula, Comisario asimismo del Santo Oficio, y el R. P. Fr. Pedro de Ledo, Lector de Teología, de grande religión, ejemplo y doctrina, y el R. P. Fr. Francisco de la Trinidad, Comisario del Santo Oficio, los cuales dos últimos son Catedráticos actuales y se criaron desde su niñez y primeros rudimientos en este Colegio. Y asimismo sabe que muchos de ellos han dado gloriosamente sus vidas por Dios en el Japón. Y este responde.

A la sétima pregunta dijo que sabe cómo en dicho Colegio tienen Escuela a que acude un Maestro, que siempre desde niño ha vivido en dicho Colegio, el cual es Sacerdote ejemplar y de singular recogimiento y virtud, y que le consta ha enseñado con satisfacción a hijos de personas ilustres de esta República que dicho Colegio acude con limosnas a personas necesitadas, como vergonzantes, mendicantes, y los que padecen en cárceles y calabozos, y que mediante estas limosnas se entiende no perecen o han perecido algunos de los que los habitan. Y esto responde.

A la nona pregunta dijo que lo que dicho tiene es público y notorio so cargo del juramento hecho, y que no le tocan las generales, en que se afirmo y ratificó y declaró ser de edad de cuarenta años poco más o menos, y lo firmó de que doy fe.

Antonio de Lezama

Ante mí

El Br. Andrés de Fuentes
Notario Público.

Por testigo el Mo. Francisco Martínez de Paz.

En la Ciudad de Manila, en 10 dias del mes de Enero de 1650 años, el dicho P. Procurador General para la dicha información presentó por testigo al Maestro Francisco Martínez de Paz, Cura de los naturales morenos de esta Ciudad, del cual en virtud de la comisión que tengo, recibí juramento en forma de derecho **in verbo sacerdotis** poniendo la mano sobre el pecho juró de decir verdad en lo que supiere acerca de la información para la que es presentado. Y siendo preguntado al tenor del dicho interrogatorio dijo lo siguiente:

A la primera pregunta dijo ser verdad lo que en ella se contiene, y asimismo dijo que antes que se fundara el Colegio de Santo Tomás de Aquino no había sujetos capaces para ministros y Curas, pues antiguamente examinaban a los que habían de ser Curas y Beneficidos preguntándoles la doc-

trina cristiana y algunos casos ordinarios, y después de fundado algunos años el dicho Colegio de Santo Tomás examinan magistralmente en diferentes materias de Teología Moral y Escolástica, que ha habido exámenes de oposiciones de curatos y beneficios tan lucidos como en Salamanca y otras Universidades pueden ser. Y esto después de fundado el dicho Colegio y Universidad, como tiene declarado. Y asimismo sabe cómo antes que se fundara este dicho Colegio de Santo Tomás que el R. P. Fr. Domingo González, Comisario del Santo Oficio y Rector que fué en muchas ocasiones, iba a la Catedral a leer materias morales. Y esto responde.

A la segunda pregunta dijo que sabe y se acuerda cuando se fundó este Colegio de Santo Tomás que comenzaron con doce Colegiales de limosna todos, y en faltando uno entraba otro en su lugar, y todos hijos de vecinos honrados y gente lucida. Y después de allí a pocos años entro a estudiar allí este testigo en dicho Colegio y halló en el discurso de tiempo que estudiaba siendo Artista y Teólogo este dicho testigo venticinco a ventisiete Colegiales y algunos manteistas, dándoles la enseñanza y educación, casa y comida. Y que después se graduó de Maestro en este dicho Colegio, y se ordenó de Sacerdote, y fué a ser Cura y Provisor en ínterim en el Puerto de Cavite, y de allí lo fué a ser en el partido de Lubam, y después lo fué a ser en el partido de Baco, Isla de Mindoro. Y vacando el Partido de Lobo se opuso a él, donde estuvo nueve años hasta que salió por oposición al curato de los naturales y morenos de esta Ciudad de Manila, donde ha más de tres años que está en ella, y que ha sabido por informe que en esta Ciudad ha tenido que todos los Colegiales que actualmente están en dicho Colegio, así de Becas como Manteistas, son de limosna y que no pagan al dicho Colegio cosa alguna, antes bien, a los pobres y necesitados se les acude con el manto, becas y lo demás necesario, y esto responde.

A la tercera pregunta dijo que sabe ser verdad como en ella se contiene, y que el Maestro Fr. Diego de Madera, que actualmente es Religioso de San Agustín, siendo Colegial de San José, porque no pagaba, le hicieron obras para que se saliese, y por intercesión y ruegos de dicho declarante le recibieron en el Colegio de Santo Tomás de limosna, donde estudió y se graduó de Maestro en Artes, y fué uno de los aventajados estudiantes de su tiempo, y esto responde.

A la cuarta pregunta dijo que es constante que en dicho Colegio de Santo Tomás no se recibe a nadie sin que primero no le hagan informaciones de limpieza. Y esto responde.

A la quinta pregunta dijo ser verdad lo que en ella se contiene, y que actualmente los que ocupan de los mejores puestos en la Clerecía son los que han sido estudiantes de dicho Colegio, y algunos de ellos graduados en el, y esto responde.

A la sexta pregunta dijo asimismo ser verdad lo que en ella se contiene por haberlo así experimentado este declarante en largo tiempo que estuvo en dicho Colegio de Santo Tomás, donde vió que los mejores sujetos que tenía la Religión de Santo Domingo estaban en él para la educación y enseñanza de sus Colegiales, de los cuales algunos han sido gloriosos mártires en el Japón, como fué el R. P. Fr. Jacinto Esquivel, Lector que fué de este declarante de Teología, y lo mataron los sangleyes en cuya embarcación pasaba a Japón. Y el R. P. Fr. Lucas del Espíritu Santo, Lector que fué de Artes en él, y mártir insigne en el Japón. Los RR. PP. Fr.

Antonio Gonzalez y Fr. Guillermo Cortet, Lectores que fueron de Teología en dicho Colegio y gloriosos mártires en Japón. Y a Fr. Tomás del Rosario, Manteista que fué de dicho Colegio, natural de Japón donde dió la vida por la predicación del Santo Evangelio. (24) Y asimismo dice que los dos Lectores de Teología de Prima y Vísperas, el R. P. Fr. Pedro de Ledo, y el R. P. Fr. Francisco de la Trinidad, Comisario del Santo Oficio, que actualmente están leyendo en este Colegio, fueron Colegiales en él, sin otros muchos que están en las Religiones, que los más son personas de letras y suficiencia. Y esto responde.

A la séptima pregunta dijo ser verdad lo que en ella se contiene, por haber visto este declarante tener dicho Colegio un Clérigo Sacerdote de mucha virtud y Maestro en Artes para la enseñanza de niños de escuela. Y esto responde.

A la octava pregunta dijo ser constante las limosnas que reparte dicho Colegio, siendo así que su Rector y Lectores dicen cada semana cuatro Misas para ayuda de sustentarse con la limosna de ellas (25). Y esto responde.

A la nona pregunta dijo que todo lo que dicho tiene es público y notorio, y que no le tocan las generales, y que en ello se ratifica so cargo del juramento hecho, y declaró ser de edad de cuarenta y cuatro años. Y lo firmó de que doy fe.

El Mo. Francisco Martinez de Paz

Ante mí

El Br. Andrés de Fuentes
Notario Público.

Por testigo D. Diego de Baeza.

En la Ciudad de Manila a 11 dias del mes de Enero de 1650 años, el dicho P. Procurador General para la dicha información presentó por testigo a D. Diego de Baeza (26), vecino de esta Ciudad, del cual, en virtud de la comisión que tengo, recibí juramento en forma de derecho por Dios nuestro Señor haciendo la señal de la cruz, so cargo de lo cual prometió de decir verdad en lo que supiere y fuere preguntado, y siéndolo al tenor del dicho interrogatorio, dijo lo siguiente:

A la primera pregunta dijo que sabe muy bien este declarante la falta grande que ha habido en estas Islas de clérigos capaces para administración de los santos Sacramentos antes que se fundase dicho Colegio, por lo cual ordenaban a algunos que no sabían latín, ni aún leerlo bien, como fué uno que llamaban el P. Francisco Cervantes (27), y Quisanto Tamayo (28), Canónigos que fueron de esta Iglesia Catedral de Manila, y Juan de Rentería (29), Canónigo que fué de la misma Catedral, y antes beneficiado de Lobo y Galuan, mas que después de fundado dicho Colegio de Santo Tomás hay muchos hijos de él capaces, no sólo de la administración de los santos Sacramentos, sino también grandes predicadores, y esto sabe y responde.

A la segunda pregunta dijo que sabe cómo en dicho Colegio hay gran número de Colegiales como de venticuatro, a veces más, a veces menos, fuera de otros manteistas, a los cuales todos da dicho Colegio casa, comida, enseñanza y educación por sola caridad sin otro interés, antes bien a algunos pobres les acude con el vestido y demás necesario, y esto responde.

A la tercera pregunta dijo que sabe cómo algunos hijos de personas honradas, que siendo Colegiales en el Colegio de San José, que está a cargo de los Padres de la Compañía de Jesús, por no tener cien pesos para pagar dicha colegiatura, los expelen de él dichos Padres, y los recibe el Colegio de Santo Tomás por sola caridad sin otra paga, como de hecho sabe este declarante que en el Colegio de Santo Tomás está por Colegial D. Luis del Castillo, hijo del Capitán Hernando del Castillo, Alcalde ordinario que fué de esta Ciudad y encomendero, el cual por muerte de sus padres quedó tan pobre que no tuvo con qué pagar la colegiatura en el Colegio de San José donde era Colegial, por lo cual le expelieron, y fué recibido en el de Santo Tomás de limosna, y esto responde.

A la cuarta pregunta dijo que sabe de cierta ciencia cómo en dicho Colegio no se recibe para Colegial a ninguno sin que primero se le haga información de limpieza, y este declarante, por ser antiguo y anciano, le han llamado de ordinario para testigo de muchas de ellas por la mucha noticia que tiene de esta Ciudad, y así sabe que son muy rigurosos, de suerte que el que hubiere de ser Colegial no ha de tener raza de moro, judío, indio, ni penitenciado por el Santo Oficio, y dice más este declarante que siempre ha conocido en dicho Colegio Colegiales hijos de los más nobles y lucidos de esta Ciudad, y esto responde.

A la quinta pregunta dijo ser así que los mejores sujetos en la clerecía que hoy se conocen en esta Ciudad son hijos de este Colegio, graduados en él de Maestros y Doctores, como son el Dr. D. Juan Fernández de Ledo, Chantre de esta Catedral de Manila y Juez Provisor y Vicario General de este Arzobispado en sede vacante, y el Dr. D. Alonso Zapata, Maestrescuela de dicha Catedral y Comisario General Subdelegado de la Santa Cruzada, y el Dr. Diego de Sanabria (30), que hoy es Padre de la Compañía donde es muy estimado, que aunque no fué Colegial de dicho Colegio pero fué el primero que se graduó en él, sin otros Maestros que están, así en el Clero como en las Religiones, de muchas prendas, y esto responde.

A la sexta pregunta dijo que sabe de cierto que la Religión de Santo Domingo ha procurado poner en dicho Colegio los Religiosos de más virtud y letras de su Orden para la educación de sus Colegiales hasta número de cinco y más, de los cuales algunos han salido para el Japón, donde dieron las vidas gloriosamente por la predicación del Santo Evangelio, como fueron los Venerables Padres Fr. Antonio González, Fr. Guillermo Cortet, Fr. Jacinto del Rosario, que lo martirizaron al camino de Japón, y dice también que los dos Catedráticos de Teología de Prima y Vísperas son hijos de este Colegio, Colegiales que fueron de él, y esto responde.

A la séptima dijo que es cierto lo que en ella se pregunta, que en el dicho Colegio vive un clérigo Maestro dedicado a la enseñanza de niños de escuela, y esto responde.

A la octava dijo ser verdad constante en esta República las limosnas que dicho Colegio de Santo Tomás hace así a pobres mendicantes como vergonzantes y a soldados pobres que acuden a él a comer, y cómo todos los días acude con comida a algunos pobres presos en los calabozos que no tienen quién se la dé, y esto responde.

A la nona dijo que todo lo que dicho tiene es público y notorio, pública voz y fama, que no le tocan las generales, en que se afirmó y ratificó,

UNITAS

JULY, 1936

Los Discursos de Apertura de la Universidad de Santo Tomas

Por el P. Alberto Santamaría, O. P.

Archivero de la misma.

Con muchísima razón hace comenzar el P. Juan Sánchez la Epoca Moderna de la historia de nuestra Universidad en 1865. Efectivamente, en dicho año la Universidad de Santo Tomás fué declarada por Decreto Real establecimiento oficial de Enseñanza y único de dicho género en Filipinas, a la cual estarían sujetos todos los demás establecimientos de enseñanza, con caracter de privados, de todo el Archipiélago. Con esta fecha se estableció en Santo Tomás la Segunda Enseñanza separada de la Facultad de Letras, y se inician grandes reformas en todas las Facultades; en 1866 se comienza a imprimir en la Imprenta de la Universidad, y bajo la dirección de los Profesores de la misma, esa hermosa colección de 41 volúmenes que forman el "Correo Sino-Anamita", tan apreciado por los sabios de todo el mundo; en el mismo año de 1866 también comienza otra serie de trabajos muy apreciados bajo el título de "Discursos de Apertura," en que se tratan toda clase de asuntos científicos, de la cual vamos a decir unas palabras en este artículo.

La colección de Discursos de Apertura de la Universidad de Santo Tomás consta de 61 folletos, los 8 primeros y el último en octavo y todos los demás en cuatro mayor o en folio menor, todos ellos impresos en la Imprenta de la Universidad; se halla completa en el Archivo de la misma. Hasta 1907 todos habían sido pronunciados por los Profesores Dominicos, pero desde 1908 la mayoría lo fué por Profesores seculares, el primero de los cuales fué el celebre Doctor Juan Miciano. "Cuando la Prensa, dice Artigas, anunció esta novedad introducida en el establecimiento que mayores timbres de honor había obtenido en la dominación pasada (hasta entonces religiosos eran los encargados de los discursos) sorprendió favorablemente la actitud adoptada por

la Universidad. Se trataba de introducir reformas, y esto siempre es muy significativo al considerar un ramo de la importancia del de la enseñanza, tan traído y llevado por tirios y troyanos en libros, folletos y periódicos, y de aquí la buena acogida que la opinión pública dispensara a la nueva postura. Después de todo así en como se trabaja, cuando se busca la paz y buena amistad. Por otra parte, a un facultativo de reputación tan brillante como el Dr. Miciano, le había cabido en suerte romper con la tradición y todo, por tanto, convidaba a que se fijara la atención en ese hecho" (1). De los 61 Discursos, 45 fueron pronunciados por Dominicos, y 16 por seculares.

Al principio estos Discursos eran meros discursos de circunstancia, en que con motivo de la apertura del curso se daban a los estudiantes algunos consejos e ideas generales sobre el estudio y la ciencia. Más adelante comenzaron a hacerse verdaderos estudios científicos o históricos al estilo de las Universidades Europeas. Hay 6 sobre la enseñanza en general: Fonseca, 1867, sobre la naturaleza y objeto final de los estudios (2); Corominas, 1869, de cómo conocerá el joven la carrera a que le llamó el Señor; Vigil, 1870, relativo a la primera enseñanza en Filipinas; García Cotaina, 1873, acerca del trabajo que exige la adquisición de las ciencias; Cueto, 1875, sobre la índole e importancia del magisterio en sí mismo y su especial misión en nuestros días; y Araneta, 1924 sobre la importancia de la formación del carácter. Hay 8 discursos sobre la Ciencia en general: Rivas, 1866, "¿qué es la ciencia?"; Narro, 1871, sobre la importancia que tiene el estudio de las ciencias para mejorar la sociedad y sobre los beneficios inmensos que de ellas pueden reportar los pueblos; Puebla, 1872, que sólo la enseñanza católica es medio fácil y seguro para el progreso científico bajo sus varias formas; Puebla, 1876, en que se propone la doctrina de Santo Tomás como uno de los remedios contra los errores de nuestro siglo; Rivilla, 1878, sobre la necesidad lógica y social de que la enseñanza sea católica; Buitrago, 1881, en que cuenta a grandes rasgos los historia de la razón humana en los tiempos que anduvo separada de la revelación, comparándola con la historia de la misma razón iluminada por los resplandores de la fe divina; Arias, 1885, que la doctrina del positivismo es absurda y anticientífica, porque los principios en que se funda repugnan a la sana razón y ciegan las fuentes de toda ciencia; y De Medio, 1896, que el naturalismo racionalista como sistema opuesto a la revelación es esencialmente irracional y anticientífico.

Hay 10 Discursos sobre Filosofía: Fonseca, 1868, en que describe la Idea del Yo, la Idea de Dios y la Idea del mun-

(1) ARTIGAS, *Reseña histórica de la Real y Pontificia Universidad de Santo Tomás de Manila*, Manila, "Libertas," 1911, pág. 178.

(2) Tanto Vindel en su *Biblioteca Filipina* (Catálogo de P. Vindel, tomo IV, pág. 317) como Retana en el Apéndice B del *Estadismo del P. Zúñiga* (vol. II, pág. 187) se equivocan al suponer que en 1867 no hubo Discurso de Apertura; poseemos varios ejemplares.

do: Navacerrada, 1879, sobre la inmensa ventaja de las afirmaciones cristianas sobre las afirmaciones racionalistas acerca de los problemas fundamentales de la ciencia filosófica; Zamora, 1880, sobre la verdad en el hombre; Del Prado, 1882, que la Filosofía es como la raíz, la base y la razón de ser de las demás ciencias; Elera, 1884, que es erróneo el concepto que de la vida nos ofrece el materialismo; Velázquez, 1887, que el cerebro no piensa ni puede ser órgano propio del pensamiento; Andreu, 1889, dando el concepto de la libertad; Alonso, 1892, defendiendo la Filosofía Cristiana; Perez, 1894, da idea de la Moral según la Filosofía cristiana y expone críticamente algunos sistemas modernos acerca de la Moral; y Farpón, 1898, que el paralelo de la Fisiología con la Psicología, especialmente en lo que atañe al entendimiento y voluntad, nos obliga a reconocer la necesidad y existencia de una Psicología espiritualista.

Sobre las ciencias eclesiásticas tenemos los dos Discursos filosófico-teológicos, Vila, 1877, y Vaquero, 1902, en que se impugna el Espiritismo; los teológicos, Tembleque, 1893, que la Teología es la única ciencia que da solución firme y segura a los grandes problemas filosóficos y sociales; los de Sagrada Escritura, Berriozabalgoitia, 1907, sobre el tema La Biblia y la Iglesia; Fernandez, 1925, sobre el ambiente físico, político e intelectual de los escritores bíblicos del Antiguo Testamento, e importancia y actualidad de su estudio; los Discursos jurídicos de Derecho Público Eclesiástico, Cubeñas, 1903, sobre los medios para resolver los conflictos entre la Iglesia y el Estado; y de Derecho Canónico, Tamayo, 1906, acerca de la legislación eclesiástica de Filipinas durante la dominación española.

Sobre las ciencias civiles tenemos los de Filosofía del Derecho de Noval, 1891, en que da el concepto del Derecho; y Fernández, 1911, sobre la pena de muerte ante la Filosofía cristiana; de Sociología de Alvarez Cienfuegos, 1883, sobre la verdadera noción del Progreso Social; Ruiz, 1890, acerca de la influencia del utilitarismo en la Economía Política; Sempere, 1895, sobre los principios de la distribución de la riqueza según la Economía de la Escuela clásico-liberal; de Derecho Civil, Chicote, 1909, dando idea general de la legislación sobre el matrimonio en Filipinas; Feria, 1920, sobre la prueba testifical y pericial; de Derecho Público, Garcia Suarez, 1915, que el Estado moderno es una institución transitoria entre el poder absoluto de los Reyes y la verdadera ciudadanía que aún no existe.

Sobre las ciencias históricas: de Filosofía de la Historia, Vidal, 1888, que el hombre que nos presenta la Historia es completamente inadmisibile; Marín, 1918, que el Imperio Moscovita cae demolido por el veneno de las ideas filosóficas en él sembradas por el Conde León Tolstoy; de Historia de nuestra Universidad, Recoder, 1904, describiendo las principales faces de la benemérita acción ejercida por el P. Benavides en los asuntos de Filipinas; Arellano, 1923, que la Universidad de Santo Tomás es la institución docente que más y mejor ha trabajado

para promover y conservar la cultura superior del Archipiélago Filipino; Sánchez, 1928, en que hace una sinopsis histórica documentada de la misma Universidad desde sus orígenes hasta nuestros días (en español e inglés).

Respecto de las Ciencias exactas y experimentales hallamos a Rosa, 1905, que hace una Monografía sobre las Integrales Eulerianas; de Zoología, Nozaleda, 1874, acerca de la conveniencia de variar la clasificación zoológica en la parte que al hombre se refiere; Llanos, 1901, que el Congreso de Zoología de Cambridge no ha resuelto el problema de la procedencia inicial del hombre, ni los huesos fósiles hallados en Java constituyen prueba cierta y demostrativa del parentesco de éste con los antropoides actuales; de Botánica, Guerrero, 1910, en que hace un estudio de algunas plantas filipinas utilizadas en este país para el envenenamiento de los peces; de Química, Lainez, 1886, con reflexiones sobre la combinación y el compuesto químico; Osés, 1897, sobre el nuevo método analítico de determinación cuantitativa del nitrógeno, llamado método de Kjeldahl; Zamora Paterno, 1919, en que intenta hacer sentir toda la importancia que tienen algunos conocimientos de la Química con un breve extracto del uso que de ellos se ha hecho en la guerra mundial; y de Mineralogía, Lanuza, 1914, sobre las aguas minerales de Filipinas y en especial las termas de Jigabo en Albay; Dar Juan, 1926 (en inglés), en que hace una disertación científica sobre el carbón de piedra.

Finalmente sobre algunas profesiones tenemos: de Medicina, Miciano, 1908, sobre terapéutica operatoria de los grandes abscesos del hígado; Guerrero, 1913, sobre la mortalidad infantil en Manila y la mejor manera de luchar contra ella; Quintos, 1916, acerca de una nueva orientación en la lucha social contra la tuberculosis en Filipinas; Molina, 1921, sobre las glándulas endocrinas o de secreción interna; Hilario, 1927 (en inglés), sobre el problema del cancer; de Ingeniería, Irureta Goyena, 1912, en que señala las reglas que la experiencia y el estudio han reunido hasta ahora para edificar, evitando en lo posible los efectos desastrosos de los terremotos; Muñoz, 1917, sobre la educación del Ingeniero; y Artiaga 1922, dando la teoría matemática de las Anualidades, con un estudio breve de su aplicación a la Economía comparativa de la construcciones.

Desde 1929 se suspendieron los Discursos de Apertura y no por voluntad de la Universidad; en dicho año estaba encargado del Discurso D. Nicanor Cortés, quien no pudo terminarlo a tiempo, y se dejó para el año siguiente, pero la oficina del Gobierno en que estaba empleado puso grandes dificultades a la impresión del Discurso, que trataba sobre sistemas de riego, aduciendo que había empleado tiempo y medios pertenecientes a dicha oficina. Es lástima que de esa manera se haya interrumpido esta serie de monografías científicas que ha dado gran lustre a nuestra Universidad.

Para que mejor aparezca el conjunto de estos Discursos, damos a continuación la serie cronológica de los mismos.

LISTA CRONOLOGICA DE LOS DISCURSOS

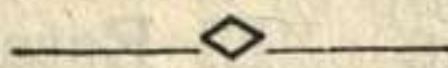
AÑO	AUTOR	TEMA
1866	P. Francisco Rives	"La Ciencia"
1867	P. Joaquin Fonseca	"Naturaleza y objeto final de los estudios."
1868	P. Joaquin Fonseca	"La idea del Yo; la idea de Dios; la idea del Mundo."
1869	P. Benito Corominas	"De cómo conocerá el joven la carrera a que le llamó el Señor."
1870	P. Ramón Martínez Vigil	Relativo a la primera enseñanza en Filipinas.
1871	P. Miguel Narro	"Sobre la importancia que tiene el estudio de las ciencias para mejorar la sociedad y sobre los beneficios inmensos que de ellas pueden reportar los pueblos."
1872	P. Manuel Puebla	"Sólo la enseñanza católica es medio fácil y seguro para el progreso científico bajo sus varias formas."
1873	P. José García Cotaina	Acerca del trabajo que exige la adquisición de la ciencias.
1874	P. Bernardino Nozaleda	"Conveniencia de variar la clasificación zoológica en la parte que al hombre se refiere."
1875	P. José Cueto	"La índole e importancia del magisterio en sí mismo y su especial misión en nuestros días."
1876	P. Manuel Puebla	Propone la doctrina de Santo Tomás como uno de los remedios contra los errores de nuestro siglo.
1877	P. Juan Vila	"Impugnación del Espiritismo."
1878	P. Julian Rivilla Ramiro	"La necesidad lógica y social de que la enseñanza sea católica."
1879	P. José García Navacerrada	"...la inmensa ventaja de las afirmaciones cristianas sobre la afirmaciones racionalistas acerca de los problemas fundamentales de la ciencia filosófica."
1880	P. Matias Gómez Zamora	"La verdad en el hombre."
1881	P. Jenaro Buitrago de la Rosa	"Contar a grandes rasgos la historia de la razón humana en los tiempos que anduvo separada de la revelación, para compararla con la historia de la misma razón iluminada por los resplandores de la fe divina."

- 1882 P. Norberto del Prado "La filosofía es como la raíz, la base y la razón de ser de las demás ciencias."
- 1883 P. José Alvarez Cienfuegos "Verdadera noción del Progreso social."
- 1884 P. Casto de Elera "Es erróneo el concepto que de la vida nos ofrece el materialismo."
- 1885 P. Evaristo Fernández Arias "La doctrina del positivismo es absurda y anticientífica, porque los principios en que se funda repugnan a la sana razón y ciegan las fuentes de toda ciencia."
- 1886 P. Marcos Lainez "Reflexiones sobre la combinación y el compuesto químico."
- 1887 P. Raimundo Velázquez "El cerebro no piensa ni puede ser órgano propio del pensamiento."
- 1888 P. Prudencio Vidal "El hombre que nos presenta la historia es completamente inadmisibile."
- 1889 P. Jaime Andreu "Concepto de la libertad."
- 1890 P. José María Ruiz "Influencia del utilitarismo en la Economía política."
- 1891 P. José Noval Gutiérrez "Concepto del Derecho."
- 1892 P. Manuel Alonso Fernández "Defensa de la Filosofía cristiana."
- 1893 P. Gabriel Martín Tembleque "La Teología es la única ciencia que da solución firme y segura a los grandes problemas filosóficos y sociales."
- 1894 P. Vicente Pérez y López "Idea de la Moral según la Filosofía cristiana.—Exposición crítica de algunos sistemas modernos acerca de la Moral."
- 1895 P. Lorenzo García Sempere "Principios de la distribución de la riqueza según la Economía de la escuela clásico-liberal."
- 1896 P. Pedro Nolasco de Medio "El naturalismo racionalista como sistema opuesto a la revelación es esencialmente irracional y anticientífico."
- 1897 P. Felix Oses "Nuevo método analítico de determinación cuantitativa del nitrógeno, llamado método de Kjeldahl."
- 1898 P. José Farpón y Tuñón "El paralelo de la Fisiología con la Psicología, especialmente en lo que atañe al entendimiento y voluntad, nos obliga a reconocer la necesidad y existencia de una psicología espiritualista."

En los años 1899 y 1900 no hubo discurso.

- 1901 P. Florencio Llanos "El Congreso de Zoología de Cambridge no ha resuelto el problema de la procedencia inicial del hombre; ni los huesos fósiles hallados en Java constituyen prueba cierta y demostrativa del parentesco de éste con los antropoides actuales."
- 1902 P. Ricardo M. Vaquero Sobre el Espiritismo.
- 1903 P. Francisco Cubañas Sobre los medios para resolver los conflictos entre la Iglesia y el Estado.
- 1904 P. Joaquín Recoder "Principales fases de la benemérita acción ejercida por el P. Benavides en los asuntos de Filipinas."
- 1905 P. Pedro Rosa "Monografía sobre la Integrales Eulerianas."
- 1906 P. Serapio Tamayo "Legislación eclesiástica de Filipinas durante la dominación española."
- 1907 P. Donato Berriozabalgoitia "La Biblia y la Iglesia."
- 1908 Dr. Juan Miciano "Terapéutica operatoria de los grandes abscesos del hígado."
- 1909 D. Alfredo Chicote "Idea general de la legislación sobre el Matrimonio en Filipinas."
- 1910 D. León M. Guerrero "Estudio de algunas plantas filipinas utilizadas en este país para el envenenamiento de los peces."
- 1911 P. Manuel Fernández Alvarez "La pena de muerte ante la Filosofía Cristiana."
- 1912 D. Ramón Irureta Goyena "Reglas que la experiencia y el estudio han reunido hasta ahora para edificar evitando, en lo posible, los efectos desastrosos de los terremotos."
- 1913 Dr. Manuel S. Guerrero "La mortalidad infantil en Manila y la mejor manera de luchar contra ella."
- 1914 D. Vicente Rodríguez Lanuza "Las aguas minerales de Filipinas y en especial las termas de Jigabo en Albay."
- 1915 D. José María García Suarez "El Estado moderno es una institución transitoria entre el poder absoluto de los Reyes... y la

- verdadera ciudadanía... que aún no existe.”
- 1916 Dr. Joaquín Quintos “Nueva orientación en la lucha social contra la tuberculosis en Filipinas.”
- 1917 D. Francisco Pérez de Muñoz “La educación del Ingeniero.”
- 1918 P. Valentín Marín Morales “El Imperio Moscovita cae demolido por el veneno de las ideas filosóficas en él sembradas por el Conde León Tolstoy.
- 1919 D. Manuel Zamora Paterno Intenta hacer sentir toda la importancia que tienen algunos conocimientos de la Química con un breve extracto del uso que de ellos se ha hecho en la guerra mundial.
- 1920 D. Felicísimo Feria “Prueba testifical y pericial.”
- 1921 Dr. Ricardo Molina “Las Glandulas endocrinas o de secreción interna.”
- 1922 D. Santiago Artiaga “Teoría matemática de las Anualidades, con un estudio breve de su aplicación a la Economía comparativa de las construcciones.”
- 1923 P. Manuel Arellano y Remondo “La Universidad de Santo Tomás es la institución docente que más y mejor la trabajado para promover y conservar la cultura superior del Archipiélago Filipino.”
- 1924 D. Gregorio Araneta y Soriano “Importancia de la formación del carácter.”
- 1925 P. Cándido Fernandez Velasco “El ambiente físico, político e intelectual de los escritores bíblicos del Antiguo Testamento. Importancia y actualidad de su estudio.”
- 1926 Dr. Timoteo Dar Juan “Scientific dissertation on coal.”
- 1927 Dr. José Salvador Hilario On the problem of cancer.
- 1928 P. Juan Sanchez García “Sinopsis histórica documentada de la Universidad de Santo Tomás de Manila desde sus orígenes hasta nuestros días.” (Traducido al inglés por J. H. Bass).



Justice Laurel On The Constitution

By Pedro C. Rivera

Will our success depend on a beautifully drawn constitution? What is the real meaning of social justice or political, social and economic equilibrium? Is a "government of the people, by the people, and for the people" a reality, or merely a figure of speech?

These are some of the most significant questions discussed by one of the "Big Three" in the Constitutional Convention, Justice Jose P. Laurel, Constitution Day speaker on February 19 at the University of Santo Tomas and other universities.

"The success of the new government will not depend on a beautifully worded constitution," declared Mr. Justice Laurel. Excellent constitutions will fail, as they have failed in Mexico and elsewhere, if they do not meet popular support. The people must be responsive to the purposes and ideals of the Constitution.

Imploring the aid of Divine Providence, we are establishing a government that shall embody the ideals of the people. Dr. Laurel said that one of these ideals is the conservation of the patrimony of the nation, both material and spiritual.

Another ideal discussed is social justice. "Social justice does not mean social equality, nor legal equality." While the term "social justice" is in a way vague as the terms "sovereignty," "liberty," "police power," or "due process of law," it is a positive and dynamic principle. It is a great constitutional objective, which must be vitalized by means of legislative enactments, executive policy, and judicial interpretation, so that the people may "feel" it.

In an article in the *National Review*, Justice Laurel explained that the real meaning of social justice is social and economic stability, or general welfare based on the time-honored principle of *salus populi est suprema lex*.

Universal unemployment and other economic problems are

today threatening the stability of governments the world over; thus the provision in the Constitution for the "promotion of social justice to insure the well-being and economic stability of all the people."

Several sections of the Constitution have provided means for the realization of this objective. Section 6 of Article XIII provides that the State shall give "protection to labor, especially to working women and minors, and shall regulate the relations between landowner and tenant, and between labor and capital in industry and agriculture. The State may provide for compulsory arbitration."

During grave national emergencies, like war or a long economic depression, the President may be authorized by the National Assembly, subject to restrictions that it may provide, to promulgate rules and regulations for the carrying out of a declared national policy. Manifestly, the President may pursue a program of economic reconstruction similar to the American N R A, if circumstances demand.

Realizing that consolidation of ownership of large estates is one of the causes of various forms of radicalism, and that independent citizens constitute the best guarantee for peace and order, the Constitution provided that, conditioned upon the payment of a "just compensation," the National Assembly may expropriate lands to be subdivided and sold to the people at cost price.

Moreover, the State, in the interest of national welfare, may operate industries, communication and transportation system; and may even rule that public utilities in private hands be transferred to government ownership, of course after the payment of a reasonable compensation.

Another ideal is nationalism. Our lands, our mines and water power must be conserved, otherwise the blessings of independence will not be ours. No private association, firm or corporation may acquire, lease, or hold public agricultural lands in excess of 1,024 hectares; nor may an individual acquire such lands by purchase in excess of 144 hectares, or by lease in excess of 24 hectares. However, grazing lands not exceeding 2,000 hectares, may be leased to an individual, association, or corporation.

Justice Laurel emphasized that "we are merely the usufructuary of our natural resources, to be handed to the generations yet unborn." He also said that inasmuch as the delegates of the people and the people themselves approved the Constitution, it is our sacred duty to support, respect, and defend this instrument.

Why adopt a constitution? Because of the weakness of human nature, and human nature is the same the world over, constitution and government are necessary. From the patriarchal period to the age of absolutism, down to the avalanche of popular assemblies, history records of no people which had existed without some form of law or government. Even Japan and other countries, who believe in the divine theory of kings, have adopted a constitution.

How about the immortal principle of Abraham Lincoln—"a government of the people, for the people, and by the people"? According to Justice Laurel, it is "only a figure of speech good for oratorical contest." In modern times, the utmost that we can have is a representative democracy.

Dr. Laurel maintained that the Constitution is not a limitation to our rights, for the people is the source of governmental powers, and in his favorite classroom expression, "the spring cannot rise higher than its source." The Bill of Rights in the Constitution guarantees protection to life, liberty, and property.

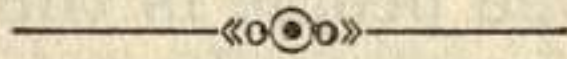
Based on the theory of separation of powers, the Constitution was drafted as a "skeleton" of broad principles and dogmas, without an attempt to include all details, for there will be economic, political and social changes; and even wise constitutionalists are not prophets. Justice Laurel also pointed out that the members of the Constitutional Convention were not entirely free to do what they wanted because of the limitations imposed by the Tydings-McDuffie Law. Thus, an enduring governmental structure will depend on the men and women of tomorrow; each generation can contribute its improvements on the Constitution.

Let us hope and believe with the Reverend Father Juan Labrador, O. P., that "this Constitution is neither radical nor reactionary, neither socialistic nor dictatorial; it is neither too modernistic nor too antiquated; it is neither too foreign nor

too native; that it is a constitution dictated by common sense and experience, and adapted to local needs and peculiarities; it looks back at the past and visualizes the future."

In other words, we are in the "happy medium" or the golden mean.

And let us not forget an article in the *Annals of the American Academy of Political and Social Science*, that wise nationalism is not opposed to wise internationalism.



PHILOSOPHY AND SOCIAL SCIENCE

Notes on the Philosophy of Kant

By Joannes Maurer, Ph. D.

INTRODUCTION

A study of the history of philosophy reveals that in the last analysis the central problem of the great thinkers—and consequently of the great philosophical discussions—has been one of cultural anthropology. This problem may be indicated by the three questions: what is man, what is his nature, what can he know? The central position of this problem has, of course, a very obvious reason, namely the fact that in the circle of man's experiences only man himself is the immediate object of cognition. If, therefore, we want to know the real value of a philosopher's doctrines, we must hear what he has to say on these questions. His answers to them will best reveal his guiding thought and ideal, just as they will serve best as a criterion for the general value of any culture.

Also Kant's central problem was the doctrine of man. What can we know, what must we do, and what can we hope for? These were the questions constantly before him. To find the answer to them he spent a busy life's time. It is true, we cannot accept his answer on the contrary, we most decidedly reject it as dangerously false, but we nevertheless are forced to admit, that Kant's intentions were noble and that his aim was pure. It was his tragic destiny not only to be defeated by the very forces which he was so very determined, to fight but even to become the staunchest propagator of the very tendencies, which he himself regarded as the deadliest of poisons.

If, then, in the doctrine of man the deepest foundations not only of a philosopher's thinking, but also of the general value of a culture is revealed, how then must we judge our age? We observe a steady decline in the last three or four cen-

turies, and the worst part of this decline is the fact that it is very singular and unprecedented in the history of mankind.

In earlier, pre-Christian times, mankind was protected against such a downfall upon his deepest possible niveau. That what we term to-day as "mythos" created an atmosphere of sacredness around man, through which he was absolutely distinguished and separated from the beast. It was only with the occidental 'enlightenment' accompanied by the slow decline of Christianity, which later was regarded as "a mere myth among other myths", that the last rest of this sacredness was lost and that the pelagianism of an absolute "status naturae purae" was pronounced, which actually dared to interpret man as "a mere animal among animals."

But only then can we realize how much we have declined, when we measure the distance from our "elucidated" epoch to earlier times, when we remember how important throughout the earlier centuries the doctrine of the nature, the essence of man was. It was reserved to the nineteenth century to pronounce man a highly developed animal. How differently sound the doctrines of earlier ages! How humbly and piously solicited Plato and Aristotle the "charisma" of knowledge. Plato's much discussed mythos of the recollection is nothing less than an allusion to the metaphysical origin and depth of human nature. This theory, so strange in itself, clearly points to man's metaphysical origin in a transempiric realm. Also in his great work "Politeia" Plato bequeathes to the Greeks his belief of the essence of man. So it was with Aristotle, whose "Ethics" can be understood only as a very serious attempt to solve the eternal riddle of human nature and its origin. And what did Augustine want, what the great number of the Fathers with their deep speculations? What about Anselm, Buenaventura, Thomas Aquinas, Duns Scotus, what did they intend with their deep thinking about the "concursum divinum" and the free will of man?

What, furthermore, did all the great poets and artists beginning with Aeschylus and Sophocles up to Dante, Calderon, Giotto, Fra Angelico, Michaelangelo, Shakespeare and Goethe want? What else, in the last analysis, did they like to obtain and to pass on to their fellowmen than a metaphysical transpect through the nature of man?

After all, the great philosophies of the pre-Christian and pre-classic times, they, too, had the same sacred aim. The wise

men of the classic and the Christian era meet on many points those of old India and China, Buddha and Lao-Tse. They all surround man with a holy atmosphere of metaphysical origin and destiny.

And now, according to the teaching of the nineteenth century, all these deep thoughts, two and three thousand years old, should be nothing but a chain of errors, should have been deceptions of brains which had not yet experienced the elucidation and blessings of so-called scientific approaches and methods?

But even in our times, which some people so proudly like to call the epoch of the modern, scientific spirit, the theories of the "enlightenment" could not win ground at once. As a matter of fact the destruction of the doctrine of man's nature was a rather slow and very long process, developed only step by step, accelerated though in the last century. Descartes, for instance, whom one generally calls the father of modern philosophy, still writes his "Meditationes" in order to fathom the relations which he believed to exist between Man, Nature and God. And does this intention of Descartes not remind us of the great God-seeker Augustinus, who has brought all his philosophical researches upon the very impressive words: "Deum et animam scire cupio. Ni hilne plus?—Nihil plus." God and the soul I want to know. Nothing else? Nothing else.

Also Malebranche begins his great work, which bears the significant title: "Recherche de la Vérité" (Research of Truth), with giving to man his metaphysical place in the universe. And even with the Occasionalist Geulinx the metaphysical nature of man is still the dominating motive. Berkeley, at the end of his development shows an impressive metaphysical religiosity—even if it is a mislead one. And is not Leibnitz' strange theory of the "Intellectus Ipse" a last attempt to save the old truths of the antic and of the Christian era? Even Spinoza, who first of all with a merciless logical consequence asserted the formula "Deus sive natura sive substantia" (God or Nature or Substance), even he did not dare to go as far as to separate the doctrine of man entirely from the old traditions. Even he held a last rest of these theories holy and untouched.

And Kant? There can be no doubt, that his intention was to fight for the priority of the spirit-principle, which was endangered and menaced by Naturalism which became ever stronger since Spinoza's teaching, and by the spreading of English Nominalism. It must not be forgotten that after all Kant's

denial of any noumenal knowledge in man was made in order to safeguard through "Practical Reason" the admission of the existence of God, the immortality of the soul and the freedom of the will. Of course, it cannot be denied that the historical consequences of the Kantian system have been most pernicious. But it would be pedantic and even unjust to hold now Kant alone responsible for the destruction of metaphysics.

Even a very cursory review of the development of the ideas which finally overpowered Kant, shows that it was a process which he could not halt.

René Descartes (1596-1650) began with denying the union of body and soul. For Descartes there exists an absolute antithesis between matter and soul in man. Body and soul are not substantially, but only "apparenter" (in appearance) united. Consequently there is no interaction between them. All scientific knowledge, so asserted Descartes, has its origin in inborn ideas, or better in an inborn inclination to create ideas. These ideas, therefore, do not at all derive from experience. From these theories Geulinx (1625-1699) evolved his Occasionalism and Malebranche (1638-1715) his Ontologism. Baruch (later Benedict) Spinoza (1632-1677) founded his system of Pantheistic Monism upon Descartes' erroneous definition of substance, as that which requires as a condition of existence nothing but itself, by maintaining that there is but one such substance: God, but one reality: God. For Spinoza everything that is, thought as well as extension, is divine, because everything that is, is God.

Leibnitz (1646-1716), infected with Descartes' theory that there is no interaction between body and soul, created his strange theory of the monades and the still stranger construction of the "pre-established harmony." Those difficulties gave rise to the psychological materialism of Condillac (1715-1780), who tried to solve the difficulty by denying the spirituality of the soul. The French Encyclopedists Diderot, D'Alembert, Voltaire, Rousseau and their followers went even further, by denying the existence of anything spiritual whatsoever—and consequently denied the existence of God.

Berkeley went the opposite way, denying the existence of matter. If Locke, the father of modern empirical psychology (1635-1704), had contended that our knowledge of reality extends to ideas only, Berkeley assumes that reality consists in the functioning of our mind, that, therefore, everything that is, is idea only. According to Berkeley only Spirits exist, creat-

ed and uncreated ones. The Uncreated Spirit is God, men are created spirits, and God creates in us the phenomena of the external world.

It was, however, reserved to Hume to put the crown on all these manifold confusions,—by embracing both the errors of materialism and idealism. Hume denied the existence of any substance. According to him everything is a mere phenomenon, there is no connection between cause and effect, no permanent, unchangeable principle, no universal principle can be derived from experience. Human knowledge of supra-sensible things is without scientific value. The law of association rules of all human principles. Human consciousness, he says, contains sensations and representations, which latter are copies of the sensations. Truth is the co-ordination of a sensation with a representation exactly similar to it. All our cognition, according to Hume, being merely phenomenal, is worthless and un-scientific. He admits though that the principle of causality is in certain sense universal, yet it has for him neither objective ontological value, nor any necessity,—it is a mere fiction of our mind.

Such was, very roughly described, the state of things, when Kant began his philosophical career. In 1769 Kant read for the first time the books of Hume. By this lecture he woke up from what he himself termed a “dogmatic sleep.” Kant was not slow in realizing the destructive consequence of Hume's doctrines upon all science. Thus he decided to contradict Hume. In doing so he wanted to avoid both dangers; his old error of dogmatism, which—without any critic—admitted the possibility and correctness of human knowledge, and the worse error of Hume's scepticism, which would not concede any objective value to human cognition.

A Study of Social Legislation in the Philippine Islands

By Carmen G. Ledesma, Ph. D.

INTRODUCTION

The functions of the State are classified by Catholic writers as "primary" and "secondary". (1) This classification corresponds to that made by non-Catholic political writers who classify laws into "necessary" and "optional", or "essential" and "non-essential". (2) The functions included in the "primary" group of the Catholic writers correspond, in a general way, to those included in the "essential" or "necessary" group of the political writers. The "secondary" group of functions of the Catholic writers, however, differ in principle, though not in content, from the "optional" or "non-essential" group of the political writers. For to the Catholic writer the promotion of general welfare is a "normal and necessary" (2) function of the State while the political writers regard it as of an optional character the extent to which the State shall engage in it being determined by expediency." (3)

A study of the history of governmental functions of different countries will show that all states no matter how crude exercise the functions of the first group.

Man has certain natural rights which must be protected and the State consequently is obliged to guard, as Dr. Ryan says, "the individual's rights to life, liberty, property, livelihood, good name, and spiritual and moral security." But the State should not only safeguard these natural rights of man. It must promote the general welfare or common good by "positive measures of helpfulness" which can be accomplished through the adoption of measures that are not obligatory but only expedient.

Now, as to the number of these expedient activities that are undertaken States vary in proportion to their need for them.

This principle, history shows, has not always been accepted and applied. Notable among those opposed to this principle were the Liberalists, who advocated strict adherence to only the "necessary" functions of the State laying down their celebrated doctrine of *laissez faire*—*laissez aller*, a doctrine which would confine the function of government to the maintenance

(1) The State and the Church, by Dr. John A. Ryan & Moorhouse F. X. Millar, S. J., pp. 222-224.

(2) p. 224. (3) p. 22b.

of peace and order and give the individual absolute liberty in other matters.

But the application in some countries, notably England, of the *laissez faire* doctrine resulted not in the peace and harmony that the Liberals envisioned but in abuses and consequent social maladjustments.

Low wages, excessively long hours of labor, the employment of woman and child labor in factories, insanitary and, often, immoral working conditions, crowding, drunkenness, disease, abandonment of the farm and agriculture—these and many more undesirable economic and social changes followed in the wake of the individualism that permeated the social, economic, and political thought of the time as a result of the teachings of the Liberal School.

For a while it looked as if the social structure were doomed to destruction, for under the guise of upholding the sacred right of man of individual liberty, the Liberals tied down the hands of the State to the primary or essential functions and these abuses which were slowly but surely destroying the family, the fundamental social unit, and lowering the stamina of the race were permitted to exist.

But like all unnatural conditions, the *laissez faire* policy did not continue forever.

The evils brought by the Industrial Revolution and fostered by the individualism of the Liberals became intolerable and the classes concerned were roused to action.

They were awakened to the possibilities of the vote as a weapon for securing social reforms. They realized the power of collective bargaining made possible by trade unionism.

The reaction that set in brought the downfall of *laissez faire* and ushered in another policy—state intervention.

State intervention properly exercised can do much to promote social welfare; abused, it is fraught with danger.

Today, practically all civilized states exercise both primary and secondary functions, the primary for the protection of the natural rights of man, the secondary for the promotion of the common good. The former consist of all activities that will "safeguard the individual's right to life, liberty, property, livelihood, good name, and spiritual and moral security;" (1) the latter, of "all activities that cannot be adequately carried on by private effort whether individual or corporate," (2) namely: Public Works, Public Education, Public Charity, Public Health, Safety, Morals, and Religion, and Industrial Regulation.

In the exercise of these functions, certain principles have been formulated to guide the State.

These principles are: (3)

(1) The State and the Church, by John A. Ryan, Ph.D. and Moorehouse F. X. Millar, S.J., pp. 225.

(2) Ditto, p. 226.

(3) Muntz & Spalding, "Introductory Sociology", p. 195.

(1) The State must devote itself to its particular and well-defined sphere.

(2) In its field of activity it must advance the common good.

(3) The State must recognize that its individual members do not exist for its own good, but that the State exists for and through its members.

(4) The State must not place obstacles to minor societies which men freely enter for higher cultural or religious purposes.

In spite of these principles, however, we find states exercising its secondary functions in degrees varying from extreme indifference and callousness on one hand, and on the other, to excessive paternalism absorbing the natural functions of the family and the individual.

In the Philippine Islands we find the State exercising both the primary and secondary functions. It is concerned not only with the promotion and maintenance of peace and order, but also with providing the masses with free elementary and secondary education; the construction of public works, the promotion of public health; the regulation of industry; and public welfare activities.

It is for the purpose of finding out what legislative provisions the State has made for the promotion of social welfare, in particular for the socially inadequate classes that this study has been conducted.

THE USURY LAW (Act No. 2655)

Usury is an age-old problem. As has so often been said, it is as old as civilization itself and it seems will continue to be a dilemma of civilization. Very aptly has it been likened to the lingering malady called cancer which yields to no treatment, reappearing mysteriously after it is supposed to be totally cured.

Usury is a practice that has received nothing but opprobrium throughout the centuries, yet it continues in varied and multiple forms.

Moses forbade the Jews from taking interest.

"If thy brother be waxen poor, and fallen into decay with thee, then thou shall relieve him; yea, though he be a stranger, or a sojourner, that he may live with thee, take thou no usury of him, or increase, but fear thy God, that thy brother may live with thee. Thou shalt not give him thy money upon usury, nor lend him thy victuals for increase." (1)

Again,

"Thou shalt not lend upon money to thy brother; usury of money, usury of victuals, usury of anything that is lent upon

(1) Lev. XXI, 36-37.

usury. Unto a stranger thou mayest lend upon usury, but unto thy brother thou shalt not lend upon usury." (1)

Christianity since its propagation has always condemned usury. The Fathers of the Church declared themselves against it, and the Church punished it with exclusion from the sacraments, privation from ecclesiastical burial, and disqualification from holding any ecclesiastical office. This severe attitude of the Church is very well expressed by St. Bernardine who said:

"Usury is a contagious evil. And as a striking evidence of this, in former times not a single usurer could mix in decent society. When somebody was reputed to be a usurer his domains and personal belongings were regarded as accursed. When someone pointed with his finger to his farms, his house, his field, they said: That is the devil's."

Rulers of Kingdoms also have denounced it. In England, under the laws of Alfred the Great and Edward the Confessor a usurer's "goods were forfeited to the Crown and his lands to the lord of the fee" even if the discovery of his usurious transactions were posthumous.

David and the prophets anathematized the practice. Aristotle regarded it against nature. Cato likened it to murder. The Councils of Lyons (13th century) and Vienna (1311) condemned it. The early laws also prohibited it.

The following is one of the most vivid descriptions, if not the most vivid, of a usurer. It is a scathing denunciation of the usurer and his nefarious trade and at the same time a warning to those who patronize him. It was written by the late Archbishop of Tanagona, Don Antolin Lopez de Pelaez. He says:

"A serpent who multiplies his rings that encircle the body of the unhappy one who happened to be his prey. He does not kill his victim instantaneously but gradually.

"The Usurer belongs to the most dangerous of all the races. Others long for money to keep in their vault with which to feast their eyes, but he wants it to spread everywhere, as a rain of malediction that sterilizes the earth.

"As that snake, whose bites are so soothing that they cause a sound sleep but once you close your eyes you will see the light no more, so is the usurer whose money tempts the receiver with vision of great delight and happiness. But once you are entangled in the grip, how painful an effort it takes you to win free.

(1) Deut. XXIII, 19, 20.

"He who goes to a usurer and asks for help, not only begs for his own annihilation but also that of his neighbors. As you ruin yourself by fattening him, you are giving him means to ruin and impoverish others. As a torrent, which the more water it receives the greater the harm he can do to the community.

"The usurer never ceases to seek his prey, until he is transported from this life. His pocket is similar to that cavern of Hell, which never say: 'Stop'. It reminds us of that mythical reservoir of the Danaides that is continuously receiving water but has never got filled.

"Wherever he goes he never turns back his face but looks on and up in search of more and more victims. When he has mounted on a ladder, he immediately lifts up another foot to mount another. He does never want to be rich to enjoy his riches but to be richer and richer.

"Vampires of society; leeches of the poor, parasites of the public wealth who suck the blood of the laborer, fatten themselves with the blood of their brothers, eat their bread not earned by the sweat of their brow but by the sweat of the brow of their neighbors, and over the ruins of their friends and brothers erect the foul temple of their iniquity.

"Where there are any of these pirates there reigns Ruin.

"A usurer's heart is like that of the hyena. Nothing is able to soften it or to make it sensible. Having been cemented to gold, it has turned at last to be as insensible as the metal itself. If there is a seeming goodness it is a trick. A usurer gives something to take everything. His present generosity is to make despoiling a victim easy at a future time.

"Of all the thieves, the usurer is the worst. Others do not rob continuously. They are ashamed of their cats and they usually commit their crimes in the dark, exposing themselves to the danger of the death penalty. In spite of being criminals, they do not usually have such vile hearts that show a lack of nobleness as do usurers; and in some case they distribute to the poor the spoils taken from the rich. But the usurer devotes his time to no other business but robbery, and he does it in the light as well as in the dark, without risking his personality or endangering his 'good name' but feeding his covetousness on the needy whose precarious situation never feels compassion.

"When every one loses, he wins. Public calamities afford him the best occasion to exert his cruelest rapacity. The most unproductive years are the years

of great abundance. His house is built on the ruins of others' houses. As the birds of prey which follow the armies to devour those who fall on the battlefield, so is the usurer who is always watching those who fall in the struggles for life." (1)

Definition of Usury

But, what is usury, that it is so strongly condemned? it might be asked.

Usury in its original and primitive meaning "is a premium or reward for the use of money, other commodity or things."

Grotius, the Father of International Law, defines it as compensation exceeding "the proportion of the hazard run, or the want felt by the loans." Such compensation he regarded "repugnant" to the Revealed Law and the Natural Law; and he said, "altho the municipal laws may give it impunity, they can never make it just."

Jurists, however, define it as the taking of interest in excess of that allowed by the law. In other words, unless there is a law limiting the rate of interest that might be charged, there is no usury.

It is in this sense that usury is regarded in the Philippines.

Like all other countries where usury exists, the Philippines is suffering many social and economic evils because of usury. Former Secretary of Agriculture and Natural Resources Rafael Alunan, in a letter dated March 19, 1933, in which he acknowledged receipt of the offer, made to him by the governor-general at the time, Theodore Roosevelt, Jr., of the chairmanship of a committee to study the question of usury and suggest remedies to it said in part:

"I believe that usury has had a great deal to do with the retardation of the economic development of the country and has been partly instrumental in provoking the various forms of unrest which have been manifested by the masses during the last two years. I fear that unless usury is curbed such unrest will grow into alarming proportions."

In an article published in the Anti-Usury Bulletin for December, 1935, Prof. Francisco Capistrano (1) blames the poverty of thousands of families, their discontent and the concentration of wealth in the hands of a few to usury.

The Secretary of Labor, Ramon Torres, himself calls usury

(1) From the collection of articles on Usury of Mr. Jose Estrada of the Anti-Usury Board.

(1) College of Law, U.P.

"a cancer which saps the vitality of the common people who are at the mercy of unscrupulous money lenders." (1)

Many others have expressed their opinion on usury but suffice it to say that they all agree in denouncing it.

The First Laws Against Usury

The first legislation in the Philippines to curb usurious practices was enacted on August 19, 1911, curiously enough, to apply only to the people of the non-Christian provinces of Agusan, Nueva Vizcaya, Moro Province and Mountain Province. It fixed the rate of interest for any "legal indebtedness" at 6% per annum and for other loans at not more than 15% regardless of the conditions under which the loan is made.

The Christian provinces which were rapidly becoming industrialized received no protection until 1916 when Act Number 2655, popularly known as the Usury Law was enacted by the Philippine Commission. It may be mentioned here that a year previous Act Number 2508, known as the Rural Credit Law, was passed, "designed", as Secretary of Labor Torres says, "at least in part, to substitute the usurers as the only bank of the farmer." (2) It did not, however, limit usury.

Act Number 2655, or as it is known, the Usury Law, established the legal rates of interest at not more than 12% per annum for loans with security and not more than 14% for unsecured loans. Exception was made in the case of pawnshops which might charge 3% per annum on loans less than ₱100 but not more than ₱500 and only 2% on loans exceeding ₱500 and building and loan associations, 18%.

Interest charged in excess of these legal rates shall be considered usurious and the person (found) guilty shall be (not only) civilly liable to return all the interest collected but also criminally liable to pay "a fine equivalent to the interest stipulated" with subsidiary imprisonment in case of insolvency.

Other features of the Law are:

1. Interest shall be as simple interest except by agreement or when the debt is judicially claimed in which case it shall be computed at 6% per annum.

2. Usury cases should be filed by the victims within 2 years after the usurious interest is paid.

3. In case loans are to be paid in kind, such as agricultural products or seed, the payment should be based on the current local market price of the commodity at the time the payment, *not the loan* is made.

4. In case the rate of interest is not expressed it shall be considered at 6% per annum.

(1) "Labor and Usury" published in Anti-Usury Bulletin, November, 1935.

(2) "Labor and Usury" published in Anti-Usury Bulletin, November, 1935.

This law affected the practice of usury very little, if at all, shown by the rather open transactions of money lenders. So Act Number 2992 was passed on February 26, 1921 providing for a stiffer penalty for violations of the law. In amending Section 10 of the Usury Law, it made violators of the Law subject "to criminal prosecution" who, upon conviction, shall "be sentenced to a fine of not less than fifty pesos nor more than two hundred pesos or to imprisonment for not less than ten days nor more than six months, or both, in the discretion of the court, and to return the entire sum received as interest x x x and in case of nonpayment to suffer subsidiary imprisonment at the rate of one day for every two pesos."

In answer to the protest against the 18% and the 3% maximum interest the Usury Law allowed loan and building loan associations and pawnshops, respectively, to charge, Act Number 3291 was passed on December 2, 1926 reducing the maximum rate of interest for the former to 12% per annum if the loan is secured and 14% if unsecured with the privilege of collecting an additional premium of 2% and, for the latter, to 2½% per month in case of loans of less than ₱100; 2% a month for loans exceeding ₱100 but not more than ₱500; and 14% per annum when the amount lent is more than ₱500.

On December 5, 1932 a very important amendatory law was enacted. This was Act Number 3998. This law is very significant as it brands as a usurious transaction not only the taking or receiving of usurious interest but also the mere *demanding* of usurious interest. The previous requirement that interest be taken or received otherwise no usurious transaction has taken place placed many usurers outside of the pale of the law when discovered before they had actually received usurious payments.

Act Number 4070, enacted on October 12, 1933 amends the Usury Law as variously amended so as to provide for an easier method on the part of those indebted to building and loan associations to pay the 1% premium (reduced from 2% by Act 1459, section 181 as amended by Act 3610).

It was not, however, until December 6, 1933 that a body was created "to combat usury in all its forms", among other purposes. This body is to be called the "Anti-Usury Board." The duties of the Anti-Usury Board according to Act Number 4109 as amended by Act Number 4168 passed on December 3, 1934 are as follows:

(a) To investigate usury cases and prosecute all violators of the Usury Law: Provided that the Board can settle extrajudicially cases of non-recidivist usurers with a capital of less than five thousand pesos by means of imposing a fine per capita which should not be less than fifty nor more than one thousand pesos at the discretion of the Board, whenever said usurers shall promise formally and in writing not to repeat their usurious operations:

(b) To furnish professional services to victims of usury who are poor and cannot afford to pay the expenses of litigation in the courts:

(c) To enter as *amicus curias* in all court cases which have arisen from usurious transactions;

(d) To arbitrate in any conflict involving debts complained of as usurious by any of the parties concerned;

(e) To devise ways and means for the carrying out of an educational propaganda against usury;

(f) To help in the establishment of credit facilities, whereby people in need could obtain money on easy terms;

(g) To organize local sub-committees in the municipalities and provincial chapters to be established under the provisions hereof; and

(h) To perform such other duties as may enable the Board to carry out the purposes for which it has been created.

The creation of the Anti-Usury Board is a very important step in the fight against usury. Laws are not self-enforcing, and no matter how good they are they become dead laws if no provisions are made for their enforcement. This, in fact, is what happened to the Usury Law passed in 1916. As some one put it, "it slumbered very sweetly in our archives accumulating dust and cobwebs" until it was awakened with the creation of the Anti-Usury Board.

Mention should be made here of former Governor-General Theodore Roosevelt, Jr. who revived public interest in the usury question. A case was brought to his attention by Mr. A. W. Prautch "the terror of usurers" formerly Chief of the Rural Credit Division of the Bureau of Plant Industry thru the legal adviser to the governor, Major John Hull. The case was that of Pedro Rosal (victim) vs. Juana Macapagal (lender).

So moved was the governor-general by this poor man's pitiful plight and prayers for protection and justice that right then and there he took up the challenge and with the battle cry "The usurers must be driven from the Temple" he initiated what has proved to be a relentless campaign against usurers.

"We must find some effective way of punishing the unscrupulous money lenders who hold whole families in economic slavery for years, and then rob them of their homes," (1) he urged.

The Work of the Committee Named by Roosevelt

Accordingly he organized a committee "to study the whole question of lending money and to suggest legislation which would materially assist in securing conviction of usurers brought to court." (2) The committee was headed by Rafael Alunan, Secretary, then, of Agriculture and Natural Resources. It im-

(1) Speech delivered at the Philippine Columbian, March, 1932.

(2) Bulletin for March 11, 1932.

mediately set to work to consider the following points recommended to it by the governor-general:

(a) The strengthening of the law and law enforcement bodies so that they may effectively punish unscrupulous money lenders;

(b) The organization of the dissemination of information thru whatever means may be available, so that the average individual may be thoroughly aware without cost to him of his rights, privileges and protections;

(c) The consideration of the possibility of rural credits which if successful would greatly reduce if not eliminate the evil of usury.

"All branches of the government will back you in every way that lies within their power" was the governor's pledge to the committee.

One of the first steps taken by the chairman of the Anti-Usury Committee was to request Mr. J. Balmaceda, Secretary of the Committee, to make a general survey of usury as practised in the Philippine Islands and to report on the various types of usurious contracts in vogue.

It is very interesting to note here that Mr. Balmaceda submitted a report containing thirty-one (31) forms of usurious transactions:

The study of the problem and investigations made showed very clearly the necessity of introducing the following changes in the Usury Law:

(1) Making a creditor who charges usurious interest criminally liable to prosecution regardless of whether he has already received a part or the whole of the usurious interest he charges. (1) (Note: Provided by Act 3998 passed December 5, 1932).

(2) To increase the penalty for the violations of the law so as to take cases of violation away from the jurisdiction of the Justice of the Peace Courts. (2)

(Note: Act 2992 passed February 26, 1921 increased the penalty for usury but not enough to take the cases out of the jurisdiction of the Justice of the Peace Courts).

(3) The reduction of the rate of interest that building and loan associations might charge.

As stated previously, Act 3291 passed on December 2, 1924 reduced the rate of interest that loan and building associations might charge from 18% to 12% per annum plus an additional premium of 2% (later reduced to 1% only). Judge Padilla, in a memorandum to the governor-general dated April 4, 1932, advocated equality of lending privileges between individual lenders and building and loan associations.

(1) Advocated by Jose Carlos Sp. Attorney, Anti-Usury Committee in a letter dated August 20, 1932 to Secretary of Justice.

(2) Memorandum of J. Balmaceda dated May 23, 1932. Also in Report of Committee submitted to G. G. October 4, 1932.

(4) Outlawing the "pacto de retro" contract or any contract savoring of it.

Regarding this former Associate Justice Malcolm made the suggestion that it be either abolished or circumvented by legislation.

The pacto de retro contract, or fictitious sale, is one of the most common forms of usurious transactions. Under the guise of a sale, the borrower is lent money at a usurious rate of interest. This money with the interest he pays the lender when he supposedly buys back his own property.

As early as 1917 a ruling on this was handed down by then Attorney-General, Quintin Paredes. He ruled that the real nature of the transaction and not the form of the contract should be taken into consideration. Yet, the practice continued.

(5) Penalizing attorneys and notaries publics who assist any one to commit usury. That is to make them accessories to the crime.

This was recommended in the report of the Anti-Usury Committee dated October 4, 1932.

(6) The adjustment of the prescriptive period of two years within which, under the law, a criminal action for usury may be filed.

To this was assigned by Attorney Carlos of the Anti-Usury Committee the "delay in many cases in the action taken by some of the provincial fiscals."

Common Usurious Transactions

A study of the different usurious transactions carried on by usurers clandestinely, at some times quite openly, shows that the Anti-Usury Board has a difficult task ahead. That the magnitude of the task might be better appreciated and that the reason for the prevalence of usurious transactions, in spite of the law, might be better understood some of the devices invented and resorted to by usurers in order to evade the law shall be described.

We shall begin with the usurious transactions common in the farm with tenants and small farmers as the helpless victims.

1. *Kabig or Kulang sa halaga.* (1)

This is common in Luzon.

Money is lent to the borrower to be repaid in palay when palay is cheap. The idea is for the lender to get as many cavanos of palay for the money lent. As for instance, ₱20 is borrowed by a tenant in August which is midway between the planting and harvesting seasons so the price of palay is high. The lender collects at harvest time when palay is plentiful and cheap.

(1) Freely translated means deducted or lacking in value.

Not only is the lender paid according to the current market price, usually ₱2 or ₱1.50 but the price is computed at ₱.20 or ₱.30 less.

So for the loan ₱20, the borrower pays, taking ₱2 as the basis and ₱.20 as the reduction, over 11 cavan of palay. These the lender keeps and later sells at ₱4 or 3.50 a cavan thus gaining about 100% in the transaction.

2. *Takalanan*

This is frequently resorted to in Central and Northern Luzon.

Money is lent during the course of the agricultural year to be repaid in palay at harvest time at the rate of 1 cavan for every ₱1 or ₱2 borrowed. The palay is then sold by the lender at ₱4 or ₱3 a cavan thus gaining by 100% or more.

3. *Talindua* or Three for Two.

This was found in Bulacan, Pampanga, and Cavite.

Rice, palay, or sugar is borrowed by the tenant to be paid in kind at 50% interest. As, for instance, for every two cava-nes of palay, 3 cava-nes must be paid.

4. *Takipan* or Two for One.

This involves the same principle as *Talindua* only that the interest charged is 100%. That is for every two cava-nes borrowed 4 cava-nes must be paid.

This is found in Nueva Ecija, Bulacan, and Pampanga.

5. *Pasunod* or Compulsory Loan.

This operates in the same manner as the *talindua* and the *takipan* only that it is obligatory, that is, the tenant has to accept the loan which is forced on him. Otherwise, he incure the displeasure of the landlord and he may not be hired at all, or dismissed, in case he is already hired.

In case of cash loans, the tenant pays for every ₱1 or ₱2 borrowed 1 cavan of palay.

In case of palay loans, he pays back 1½ cava-nes.

Complaints about this system have been received from Bu-lacan.

6. *Baligtaran* or Turning Over.

This is a very ingenious device and very confusing to the borrower.

Cash debts are converted into palay or vice versa in a scheme combining the principles involved in the other usurious devices described above.

How onerous and clever the device is may be seen in the following examples:

Suppose a tenant is given a *pasunod* of ₱50. This he pays in palay according to the terms of the *talindua*, *takipan*, or *kabig* at the rate of 1 cavan for ₱1 or ₱2 he borrows.

Suppose he is able to pay only 30 cavan of palay. At ₱1 a cavan, therefore, he still owes the landlord ₱20 or in terms of palay, 20 cavan. But suppose the current price of palay is ₱3 a cavan. Now since he still owes the lender 20 cavan, he therefore, still owes him, at ₱3 a cavan, ₱60. Now, when he pays this amount at the next harvest season he has to pay in palay at ₱3 a cavan thus reaping, in the whole transaction, profits amounting to ₱240. All for a *pasunod* of ₱50.

This system has been found in Bulacan, Nueva Ecija and Cavite.

7. *Medyang palabasan* or Different measures.

Different measures are used, smaller for measuring the palay loaned and bigger for the palay collected.

8. Cash loans payable at 24 to 36 per cent interest.

In some instances, debts contracted in these different ways are passed on from one tenant to another or from father to son, altho, the first is rather rare and in the latter case no complaints are received as the nearest of kin is usually willing to shoulder what he considers a debt of honor.

In addition these schemes resorted to by the rural Shylocks, there are many irregularities and abuses reported to the Bureau of Labor which savor of usury altho not exactly usurious transactions.

Other usurious transactions, devised to evade the law, found in cities, towns and occasionally in rural districts, the more commonly in the former, are:

1. "Pacto de retro" or "deed of sale with the right of re-purchase."

This is a usurious transaction cloaked with an air of legality. The borrower is made to sign a document purporting to sell his property at a certain amount. The usurious interest ranging from 20% to 100% is made to appear in the document as rent, either in money or in agricultural products. In case he wants his property back he can buy it at the price mentioned in the document.

2. "Mortgages secured by real property."

The loan is secured by a mortgage but the amount for which the property is mortgaged as it appears in the legal document drawn up is not what actually is borrowed as it includes the usurious interest unless this interest is paid in advance in which case the actual amount borrowed is mentioned but he pays double interest as he has to pay interest on the mortgage money.

3. "Pignoration of valuable papers."

When the borrower has no real property to offer as security, he turns over his certificate of ownership of his work animals. The usurious interest charged he pays in the form of rent for the work animals which remain with him.

4. "Fake deposits"

The borrower is made to sign a document in which it is made to appear that the lender deposited with him for delivery at some future time a certain quantity of palay. Actually, however, he receives no palay but the palay he is supposed to have received for deposit represents the amount including usurious interest which he has to pay for the loan he obtains.

The worst part of this device is that in case he fails to pay, he may be sued for "estafa".

5. "Promissory notes" payable on demand or otherwise.

The usurious interest is included in the amount supposed to have been borrowed.

6. "Sale of merchandise or jewelry on commission."

The borrower is supposed to have received merchandise or jewelry to sell for the lender. The value of the merchandise or jewelry is in reality the amount he borrows plus the usurious interest.

In case he fails to pay, he is prosecuted for swindling.

7. "Postdating a check".

The borrower is made to sign a check altho the lender knows he has no money in the bank. The amount in the check represents what he borrows plus interest. If he is able to meet his obligation, the post dated check is returned to him but, in case he fails, he is charged with issuing a check without funds.

There are other usurious schemes devised by surers for usurers are very ingenious people. But the above are the more important and will suffice to show how our Shylocks succeed in exacting their "pound of flesh" in spite of the law.

Proposals Made To Combat Usury

To combat usury many proposals have been made some practical, some highly impractical.

Among the suggestions made, the following may be mentioned as worthy of serious consideration:

1. The reform of the Tenancy System.

It has already been shown that usury is prevalent in the farm. The prevalence of this evil is attributed to the tenancy system and as long as the tenants are left at the mercy of the landlord, there will be usury in one form or another in the farm.

2. The establishment of adequate credit facilities to take the place of the money lenders. One reason for the failure of the Usury Law is that it is one sided. Action is directed only towards the usurer. To be effective, action must be directed to both borrower and lender. It is very well to save the bor-

rower from the grasping lender, but he should be introduced to a creditor who will lend him the money he needs at a just rate of interest and under fair terms. In fact, many victims of usury are reluctant to expose the Shylock who is exacting from them his pound of flesh because to do so is to have their only source of credit closed irrevocably to them.

3. General educational propaganda that will not only acquaint the ignorant masses of the protection that the law affords them against the usurer, but also inculcate in them habits of thrift and industry for in these lie their salvation from hopeless penury and want that so often drive them to borrow at exorbitant interest and onerous conditions. We need, too, propaganda that will awaken the victims of usury from the apathy into which they have fallen and arouse them to action and to cooperate with the authorities to which the fight against usury has been entrusted.

SOCIAL WORK

In the prospectus of "The School of Social Work" expressed in the "Boston College Bulletin", an institution is described which is equipped to perform needed and important tasks.

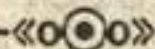
The Catholic Church is the Mother of "Social Work." From the very beginning, under her auspices, relief was organized.

Catholic philosophy, Catholic ideals and purposes, will be emphasized. This purpose of the new School of Social Work should act as a healthful emollient in a science which could, under pagan auspices, degenerate into an engine of destruction. The Church, with her insistence on human and divine rights, is needed in this field where some have tried to apply the standards of materialism. No Catholic-trained social worker will ever regard a human being as a mere "case" to be liquidated even at the cost of God's rights.

His Eminence the Cardinal writes of the new Boston College of Social Work: "The need for such a school at the present time is well known to all who are interested in the welfare and progress of this community and I am sure that this new school, under the direction of the Jesuit Fathers, will make a substantial contribution to the field of social work."

THE PILOT

Boston, June, 1936



SCIENCE AND ENGINEERING

Experiment in the Absorptive Power of Some Philippine Clays

By Eduardo V. Valdes, B.S. in Chem.

Considerable quantities of acid clays are imported into the Philippines from Japan and other foreign countries by local oil mills for use in the refining of coconut oil. Table I shows the amount and value of imports corresponding for the years 1933 and 1934.

TABLE I (1)

Country	1934		1933	
	Kg.	Value	Kg.	Value
.....	9,220	P 574.00
United States	1,630,839	P 20,119.00	2,142,961	P 21,628.00
Japan				
		20,693.00		21,628.00

With a view of finding local clays that may be used as substitutes for the imported materials, the decolorising effect on coconut oil of clays occurring in different regions of the Philippines was investigated. The reduction of the free fatty acid content of crude commercial coconut oil by the use of these clays was also studied. In determining the suitability of local clays for the refining of coconut oil, the following considerations were taken into account.

1. The decolorising and absorptive capacity of the local material should be at least equal to, when not better than those of imported clays.

2. The clay used in refining should be capable of being readily removed from the mass of the oil without considerable amounts of oil being retained by the clay.

3. The local material should not be expensive.

(1) Annual Report of the Insular Collector of Customs. 1935, Manila.

MATERIALS USED IN THIS INVESTIGATION

Coconut Oil

Representative samples of crude commercial coconut oil were obtained from three of the largest oil mills operating in the city of Manila. One sample was taken at random from a retail dealer at Calle Sibakong, Santa Cruz, Manila.

Clays

The Philippine clays investigated in this thesis were secured from the Ceramics laboratory of the Bureau of Science. For purposes of comparison, samples of commercial Japanese acid clay and activated clay were obtained from a local oil mill that uses large quantities of these imported materials.

Chemicals.

The purified methylated spirit used as solvent for the coconut oil in the determination of free fatty acid was prepared by the method of Clowes and Coleman (2) by the distillation of alcohol over solid sodium hydroxide.

The hydrochloric acid used in the acid activation of clays was of specific gravity 1.19 and contained approximately 36% HCl.

PROCEDURES

Preparation of Clay Samples

Before using the clay samples, they were air dried and then pulverised to pass through a standard 200-mesh screen. Each sample was then divided into two parts. One portion was used as such in the experiments and is designated as *crude clay*. The other portion was activated by treatment with hydrochloric acid and is designated as *activated acid clay*. The method of activation (3) was as follows:

About 500 gms. of each clay were refluxed in 1-liter Erlenmeyer flasks from 2-3 hours at a temperature of 90°C. with 350 cc. of hydrochloric acid, sp. gr. 1.19. The ratio of acid to clay is approximately 1:3. After the digestion with acid, the clays were washed with cold water repeatedly until the last washing was neutral to litmus. They were then filtered through ordinary filter paper and allowed to dry at room temperatures. The dried acid treated clays were then ground to pass through a 200-mesh sieve.

Experiments on Decolorisation of Coconut Oil

The effect of crude and activated Philippine clays on coco-

(2) Clowes and Coleman, Quantitative Analysis p. 453 (1931).

(3) Burghardt, Ind. Eng. Chem., 7, 23, (1931)

nut oil was ascertained by the following series of experiments. For purposes of comparison similar experiments were performed in parallel using the same samples of coconut oil and imported Japanese activated and acid clays.

Decolorisation by Percolation

The oil to be decolorised was preheated to 90°C . and then filtered through a cylindrical column of loosely packed clay, under a constant pressure of 80 mm. of mercury. The filtered oil was directly received in a colorimeter tube. The temperature of the oil was maintained at 90°C . during the percolation. The apparatus used in these set of experiments is shown below.

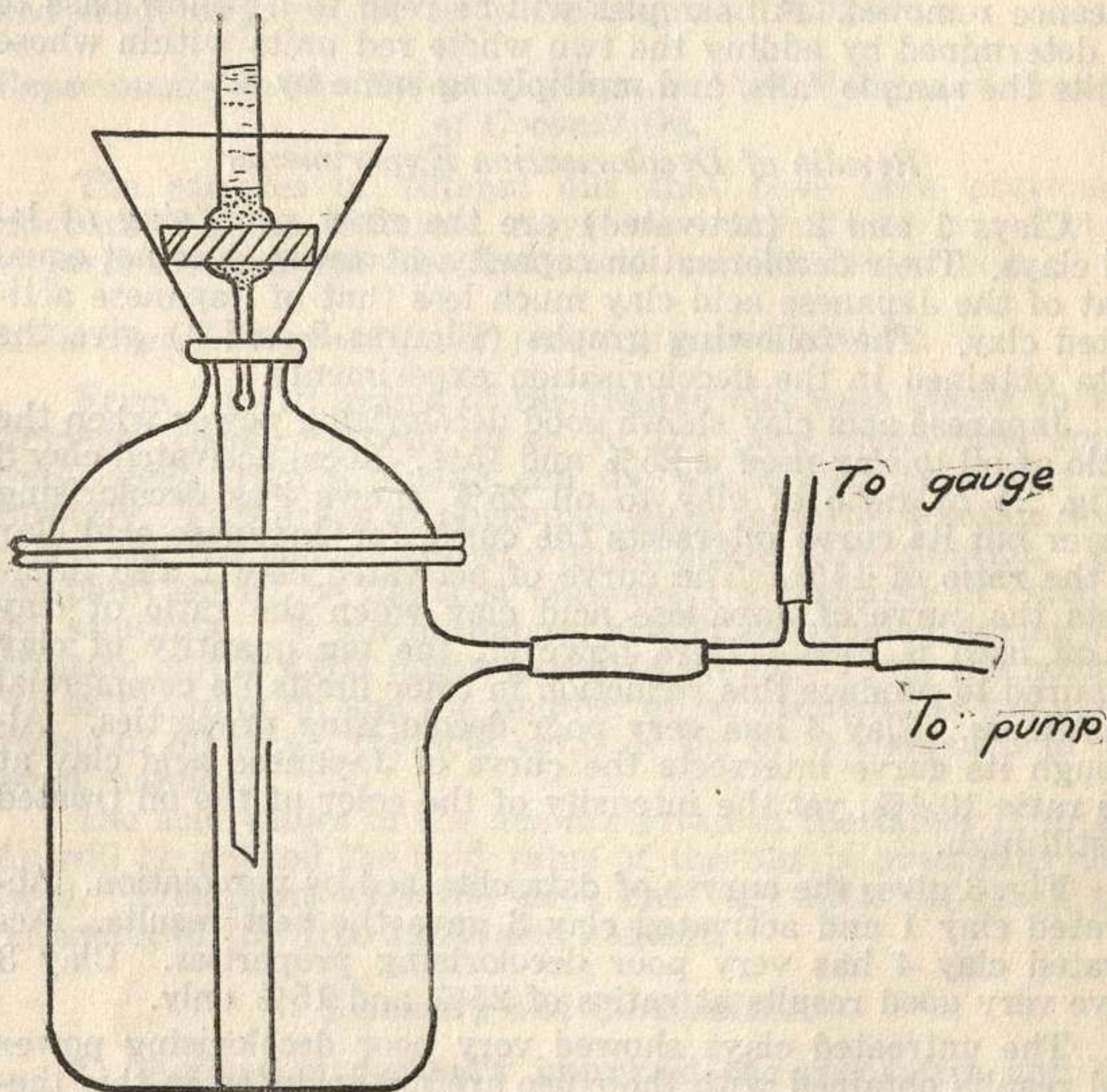


FIG. 1.—PERCOLATION APPARATUS

Decolorisation by heating a mixture of Oil and Clay

In these experiments, the oil and clay were intimately mixed in Erlenmeyer flasks which were placed on a water bath at a constant temperature of 90°C . for 2 hours. The mixtures of

clay and oil were stirred from time to time and finally filtered through ordinary filter paper.

Measurement of Color

The color of the samples of oil was determined with a Lovibond tintometer. The procedure followed was that adopted at the Conference of Coconut Oil Manufacturers of the Philippines held on August 26, 1924.

"The container for the sample is a straight white glass tube free from bubbles and imperfections with polished bottom and an exact depth of 5 1/4 inches etched on the side of the tube. The sample must be filtered crystal clear and all traces of opalescence removed. All samples will be read to a yellow base to be determined by adding the two whole red units within whose limits the sample falls, and multiplying same by 3."

Results of Decolorisation Experiments

Clays 1 and 2 (activated) are the most promising of local clays. Their decolorisation capacity, however, does not equal that of the Japanese acid clay much less that of Japanese activated clay. The following graphs (Figures 2 and 3) give the data obtained in the decolorisation experiments.

Japanese acid clay shows good decolorising power when the ratio of oil to clay used is 25% and 15%. Local activated clay 3 (Fig. 2) at ratio of clay to oil 25% shows less decolorising power but its curve intersects the curve for Japanese acid clay at the ratio of 14%. The curve of activated clay 1 also intersects the curve of Japanese acid clay when the ratio of clay to oil used is 21%. Here however, the big quantity of clay required to produce this reduction in color limits its commercial usefulness. Clay 4 has very poor decolorising properties. Although its curve intersects the curve of Japanese acid clay at the ratio 10.4%, yet the intensity of the color of the oil treated is still high.

Fig. 3 gives the curves of data obtained by percolation. Activated clay 1 and activated clay 3 gave the best results. Activated clay 4 has very poor decolorising properties. Clay 3 gave very good results at ratios of 25% and 15% only.

The untreated clays showed very poor decolorising power and results obtained with their use are not included in this thesis. There is no possibility of using these crude clays as decolorisers without first submitting them to the activation process.

A determination of the composition of a clay would not give any idea as to its decolorising power. The quantity of SiO_2 and Al_2O_3 present is not an index to its decolorising power. Whether the bulk of these components is present in crystalline or amorphous form is more pertinent to the determination of its decolorising power. Actual tests, should therefore be made with

oils before judgement can be passed on the merits of the clays.

X-ray examination of Japanese acid clay by Kameyama and Oka (4) showed a crystalline substance to be present in that material. The foregoing authors also believe that this crystalline substance constitutes the principal part of the Japanese acid clay.

Yamamoto (5) observed the crystalline particles with an ultra-microscope and found them to be in the order of 10^{-6} cm. in the range of colloidal dimensions. He believes with Kobayashi that Japanese acid clay is a mixture of colloidal hydrated aluminum silicates as $Al_2O_3 \cdot 2SiO_2 \cdot mH_2O$ and colloidal silica as $4SiO_2 \cdot mH_2O$. X-ray diffraction data of English Fuller's earth and German activated clay coincide with those of Japanese acid clay. Experiments along these lines with Philippine activated and crude clays would be interesting and valuable.

Experiments on the Effect of clays on Free Fatty acid Content of Coconut Oil.

The samples of filtered oils that have been previously treated with the different clays were transferred into Erlenmeyerflasks and the free fatty acid content determined.

Method of determination of free fatty acid content.

From 7 to 12 grams of the treated oils were placed in Erlenmeyer flasks. About 40 cc. of the pure methylated spirit were added from a pipette and the whole mixture shaken vigorously. Two drops of phenolphthalein indicator solution were added and the whole titrated with standard KOH solution. The end-point should be the first permanent appearance of color in the solutions. Too much shaking should be avoided during the titration as the KOH might saponify the oil. From the normality of the solution and the number of cc. required by the given grams of oil taken, the acid value of the oil is computed in the usual manner.

The acid values of the oils are given in the tables II to XI. As will be noticed the acid value of the oils is practically uniform. Treatment with the clays has very little effect on the reduction of the free fatty acid content.

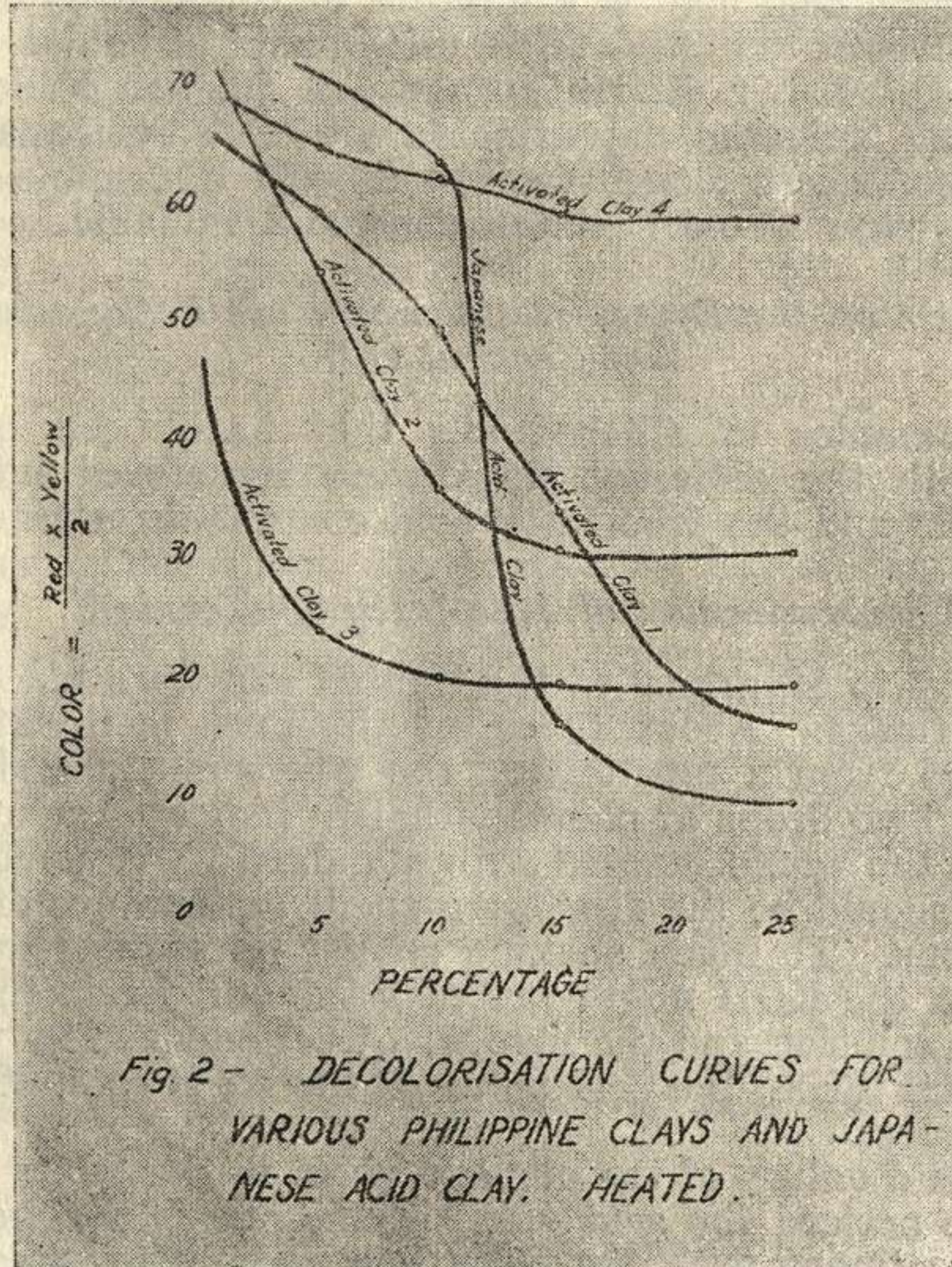
Summary and Conclusions.

1. Activation decidedly improved the absorptive and decolorising power of the different Philippine clays studied.
2. Treatment of crude coconut oil with the clays reduces the color but has very little effect on the free fatty acid content of the oils.
3. Not one of the samples of Philippine clay investigated

(4) Kameyama and Oka. *J. Soc. Chem. Ind., Japan.* 33, 1, 29B, (1930).

(5) Yamamoto, *J. Soc. Chem. Ind., Japan.* 34, 7, 244B.

was found to be as efficient as imported Japanese acid and activated clays. However, with the exception of the clay 4, the value of the Philippine clays studied can be improved with suitable activation.



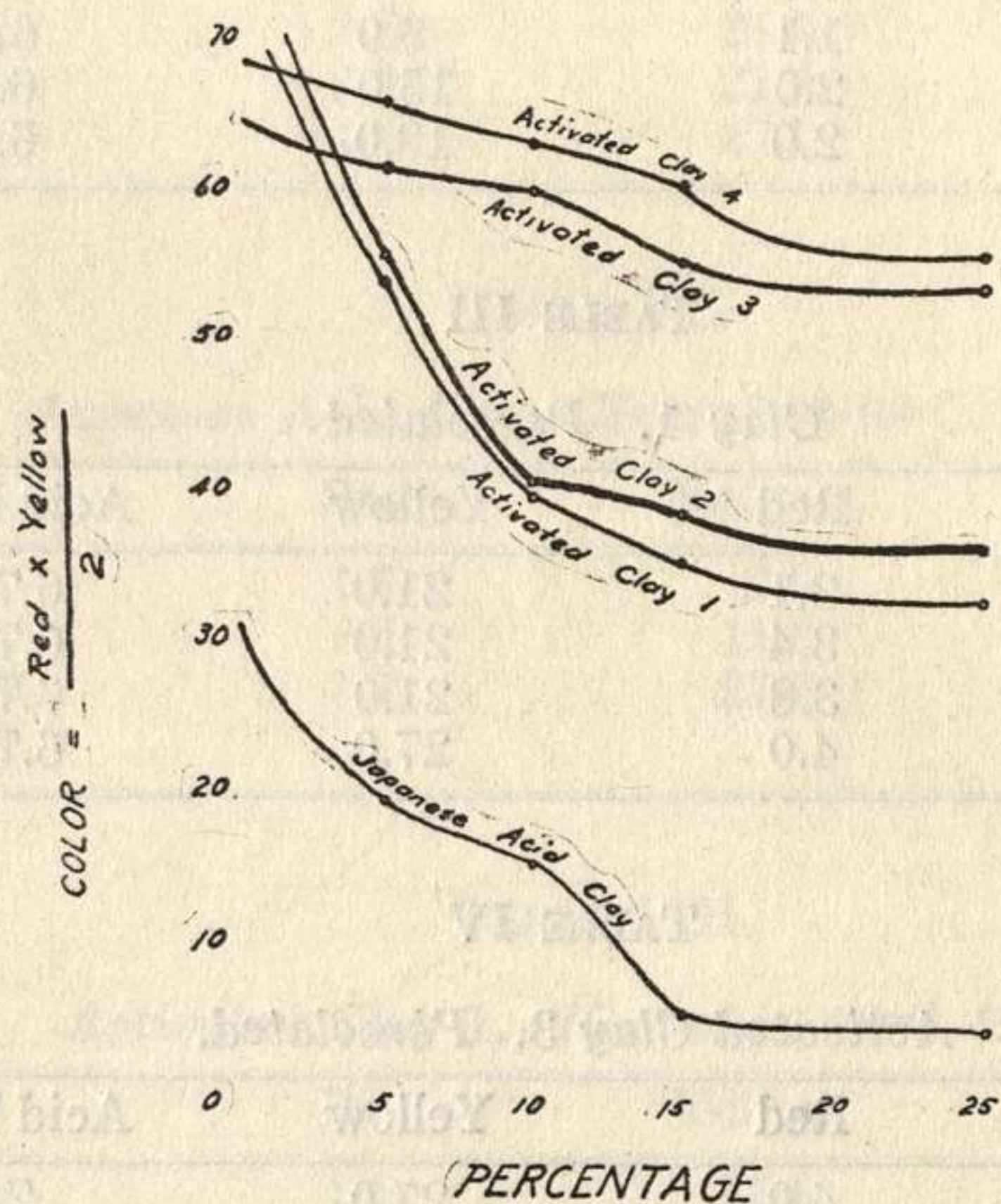


Fig. 3 - DECOLORISATION CURVES FOR VARIOUS PHILIPPINE CLAYS AND JAPANESE ACID CLAY. PERCOLATION.

TABLE II

Japanese Acid Clay, Percolated

%	Red	Yellow	Acid Value
25	0.8	9.0	6.48
15	1.1	9.0	6.42
10	2.0	15.0	6.60
5	2.0	18.0	6.67

TABLE III

Clay 1. Percolated

%	Red	Yellow	Acid Value
25	3.1	21.0	6.790
15	3.4	21.0	6.796
10	3.8	21.0	6.795
5	4.0	27.0	6.798

TABLE IV

Activated Clay 3. Percolated.

%	Red	Yellow	Acid Value
25	4.0	27.0	7.03
15	4.1	27.0	6.96
10	4.5	27.0	6.96
5	4.6	27.0	6.84

TABLE V

Activated Clay 4. Percolated.

%	Red	Yellow	Acid Value
25	4.2	27.0	6.84
15	4.5	27.0	6.76
10	4.7	27.0	6.81
5	4.9	27.0	6.82

TABLE VI

Activated Clay 2. Percolated.

%	Red	Yellow	Acid Value
25	3.5	21.0	7.02
15	3.6	21.0	6.93
10	3.9	21.0	6.95
5	4.1	27.0	6.87

TABLE VII

Japanese Acid Clay. Heated at 90°C. 2 hrs.

%	Red	Yellow	Acid Value
25	1.7	9.0	10.66
15	2.1	15.0	9.89
10	4.7	27.0	13.28
5

TABLE VIII

Activated Clay 1. Heated at 90°C. 2 hrs.

%	Red	Yellow	Acid Value
25	2.2	15.0	6.79
15	3.2	21.0	6.80
10	3.6	27.0	7.05
5	4.4	27.0	6.94

TABLE IX

Activated Clay 3. Heated at 90°C. 2 hrs.

%	Red	Yellow	Acid Value
25	2.5	15.0	7.09
15	2.6	15.0	6.845
10	2.6	15.0	6.835
5	3.0	15.0	6.90

TABLE X

Activated Clay 4. Heated at 90°C. 2 hrs.

%	Red	Yellow	Acid Value
25	4.3	27.0	4.081
15	4.3	27.0	3.961
10	4.6	27.0	6.961
5	4.8	27.0	6.972

TABLE XI

Activated Clay 2. Heated at 90°C. 2 hrs.

%	Red	Yellow	Acid Value
25	3.0	21.0	7.14
15	3.0	21.0	6.90
10	3.4	21.0	6.93
5	4.0	27.0	6.786

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NEWS AND NOTES

UNIVERSITY CURRENT NEWS

Academic School Year Opens With Simple Ceremonies.—The 1936-37 academic year formally opened with a mass heard at the University Chapel on Saturday, June 13, 1936 at 8:00 o'clock in the morning with the student body en masse at attendance. Rev. Father Eugenio Jordan, O. P., Acting Rector of the University, and Rev. Fr. Louis Morrow, acting in behalf of His Excellency the Apostolic Delegate, figured in the simple but formal opening ceremonies.

Low mass was started promptly at 8:00 o'clock with more than 2,000 students and the U. S. T. faculty present. The Acting Rector, Fr. Jordan, O. P., gave the welcome address, followed by Fr. Louis Morrow, who gave pieces to the young men and women at the University Church.

"...in the name of the Holy Father, the Reigning Pontiff, Pope Pius XI, I now declare the academic year 1936-37 of the University of Santo Tomas formally opened," Father Morrow concluded the formal services in reverend tones. The whole student body was quite at attention to receive the solemn pronouncement. The following Monday (June 15) the classes definitely started.

Santo Tomas Medical Graduates Top Board Exams.—Lorenzo P. Enriquez and Gregorio Gabriel, graduates of the local medical college, took first and second honors, with averages of 90.94 and 90.13% respectively, in the last examinations given by the Board of Medical Examiners. Fidel V. D'Bayan, topnotcher of the preliminary tests given about a year ago, Basilio B. Reyes, Conrado T. Galvez and Antonio L. Aves also gave distinction to the Alma Mater by being among the next eight doctors who passed with honors.

U. S. T. also obtained the highest percentage of promotion in the field. One hundred and twenty one doctors, out of the 177 candidates who passed the board examinations, are recent Santo Tomas graduates. These new physicians have maintained the leadership which Santo Tomas has established in the board exams.

Faculty of Civil Law Opens to Women.—A bevy of Freshmen ladies enrolled for the first time in the mellowed history of the Faculty of Civil Law this June. A ladies' section, which holds their class sessions in the morning, has been formed.

The opening of the College of Law to women starts only this semester, following the requests of local women and the administration, and the rescript from Rome allowing the admittance of lady students into all the faculties of the University of Santo Tomas.

This section of Freshmen co-eds is, therefore, the first batch of women students of the legal profession that the university ever had in her 325 years of enviable existence.

CATHOLICS WILL HOLD BIG PARADE AT WORLD'S FAIR

DALLAS, Texas, April—Catholic history in Texas is to be depicted in a procession of floats opening Catholic Day, October 11, at the Texas Centennial Exposition. Thousands of Catholic church people and Catholic organizations and societies are expected to participate in the special events of that Day. Also K. of C. Day and C. D. of A. Day.

Texas cities, including Dallas, Fort Worth, Waco, San Antonio, Austin, Houston, Galveston, El Paso, Wichita Falls, will be represented by their churches with floats in the parade, which will form at Ursuline Academy and proceed to the Exposition grounds to arrive at 10 a.m.

After the parade breaks up the thousands of Catholics, including school children, will be seated in the stadium of the Cotton Bowl, where Bishop Joseph P. Lynch of Dallas will celebrate pontifical mass. Present will be four other Texas bishops and Archbishop Arthur J. Grossaerts of San Antonio. A massed chorus will sing a mass specially written by W. J. Marsh of Fort Worth.

Various orders of the church, as well as lay memberships, will be represented during the celebration, according to Rev. J. G. O'Donohoe, director of Catholic affairs at the \$25,000,000 World's Fair, opening June 6.

X-RAYS AND THE GROWTH OF TISSUES

X-rays' growth-stopping effects have been critically studied on healthy animal tissues that would ordinarily regenerate themselves, by Dr. Pressley Lee Crummy, working under direction of Dr. H. H. Collins at the University of Pittsburgh. These studies throw light on two regions of biological interest: they furnish a basis for comparison between x-ray effects on normal and abnormal growing tissues such as cancer, and they add information on the phenomenon of regeneration, by which certain of the lower animals are able to replace lost body parts such as tails and legs.

Dr. Crummy experimented on the spotted newt, a long-bodied, long-tailed relative of the more familiar frogs and toads. Amputating the tail-tips of some of these animals, he rayed the cut ends of part of them with appropriate dosages of x-rays at various time intervals. The others he left unrayed, as "controls". After some weeks he examined the lot.

The "control" animals were found to be going through the normal regenerative procedure, growing themselves new tails as they would after an accident in nature. The rayed newts, on the other hand, were still stump-tailed as the amputation had left them; they had averaged only about a millimeter of new growth—about the thickness of an ordinary knifeblade.

A strange differential effect was observed. Dosages sufficient to inhibit regeneration completely when given immediately after operation would not stop regeneration when administered some weeks after regeneration was under way. The delayed dosage, however, was found to slow up the growth rate of the limb and to cause abnormalities in the formation of the fingers.

In preliminary experiments, Dr. Crummy tried raying the very tips of some of the newts' tails. Without exception, a degeneration and sloughing off of the tissues took place, reminiscent of the loss of finger-joints suffered by early workers with x-rays, before their destructive powers were known.

In the experiments, of course, due consideration was taken for the feel-

ings of the newts. The operations were performed under anesthesia, and their bodies, except for the parts to be x-rayed, were protected during treatment under a quarter-inch lead shield. Apparently it doesn't bother a newt to lose a piece of leg or tail—perhaps a compensation of Nature for having them bitten off by hungry fish or snapping-turtles. At any rate, they seemed to be quite contented without them, while they grew replacements and incidentally, furnished biologists with excellent material for fundamental studies of growth phenomena.

THE ENERGY OF GAMMA RAYS

Man-created gamma radiation, of the kind so widely used in the treatment of cancer, and excelling the best efforts of nature over six times, is being studied at California Institute of Technology. Four investigators, headed by Professor C. C. Lauritsen, of the Kellogg Radiation Laboratory, report in *THE PHYSICAL REVIEW* that they have unmistakable evidence of laboratory-produced gamma rays having energies of 16,000,000 electron volts. The highest energy found in natural gamma rays—given off by radioactive substances such as radium—is only 2,600,000 electron volts; an energy “record” held by the radioactive element known as thorium C” (thorium C double prime).

Professor Lauritsen's 16,000,000 electron volt gamma rays were obtained in experiments performed in Collaboration with Dr. H. R. Crane, Dr. L. A. Delsasso and W. A. Fowler. The light metal element lithium was bombarded with protons, the positively-charged nuclei of hydrogen atoms, to yield the piercing rays.

The proton atomic “bullets” were driven down a special vacuum tube in the research by electric voltages which ranged from 400,000 to a million volts. On striking the lithium target, the proton is believed to combine momentarily with lithium atoms. The lithium atoms are thought to be the isotopic form of mass seven. When a proton joins them, it adds its mass of one so that the total mass is eight.

The 16,000,000 electron volt gamma rays which emanate from the union are best explained by assuming that the lithium and proton of total mass eight break up into two helium particles, each of mass four. Such helium nuclei are known as alpha particles, and, along with gamma rays and electrons, are given off when radium disintegrates. To balance the energy equation, it is necessary to postulate that 17,000,000 electron volt gamma rays come out when the two alpha particles are created. The presence of 16,000,000 electron volt rays was detected, quite definitely a study of the atomic “debris” knocked out. Tracks of the flying electrons from the impacted atoms of the lithium target were observed in a Wilson cloud chamber in the investigation of the high energy gamma radiation.

MULTIPLE LIGHTNING STROKES

Destructive lightning strokes which shatter a tree or telephone pole, burst a block of concrete through which a wire runs or dig a hole in the ground are the result of too much confinement, according to a report made by P. L. Bellaschi, engineer of laboratories of the Westinghouse Electric and Manufacturing Co., at Sharon, Pa. If the core of the lightning stroke is confined within a bore having a diameter less than about eight tenths of

an inch, internal pressures may be built up of anywhere between ten to twenty thousand pounds to the square inch. Few natural materials will stand such forces and naturally blow up.

Mr. Bellaschi will report in a paper to be delivered at the forthcoming meeting of the American Institute of Electrical Engineers in Seattle, Wash., that electrical engineers were led to investigate the shattering of wires by lightning strokes because of the paradox that small wires were known to be able to withstand high currents comparable with those of lightning and yet were sometimes fused and destroyed by lightning. The secret appears to be that many lightning strokes are not single discharges, but multiple ones. Lightning, in other words, sometimes strikes anywhere from five to ten times in the same place within a fraction of a second.

THE BENDING OF THE EARTH'S CRUST DUE TO BOULDER DAM CONSTRUCTION

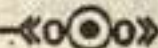
Man at last has a chance to determine if the earth's crust—from 17 to 75 miles thick—will bend under a great weight. Theory says it will, but until the construction of Boulder Dam no way seemed possible to prove the answer.

The U.S. Coast and Geodetic Survey is planning to make accurate surveys of the region around Boulder Dam to see if the weight of the dam and the huge lake it will store up are sufficient to compress the underlying rock of the great continental shields. The estimated weight of the lake alone is placed at 41,500,000,000 tons. Never before has man placed such an enormous weight on one spot of the earth's crust.

Theory says the solid layers on the outside of the earth really float on a much heavier material which lies below in a plastic state. The condition is much like a woven raft of logs afloat on a lake. If a heavy weight is placed on such a raft it submerges partially. It is thought that the weight of mountains similarly submerges the bottom of the solid crust into the underlying plastic material.

Behind the plans of the Coast and Geodetic Survey is the thought that an additional increase in weight at one spot will further sink the floating crust until equilibrium is established. Engineers expect that the elastic compression of the rock in the earth's crust will cause an area of twelve square miles to sink six tenths of a foot in from two to three years.

The sinking of the solid crust into the plastic matter beneath may cause an additional two feet drop over an area of 150 square miles. How long this lowering will need to occur is not known. Eventually, however, bench marks soon to be established will tell the story.



EXCHANGES

ANNALES DE L'UNIVERSITE DE PARIS.—Ile. Année, No. 2, Mars-Avril, 1936. — Faculté de Sciences. Relación del curso, por el Decano, M. Maurain.—La Bruyere et Théophraste. Estudia el Prof. G. Michaut la célebre obra del primero, que lleva el título modesto *Les Caracteres de Théophraste*, traducidos. No se trataba sólo de una mera versión de la obra del griego, pues la parte original del autor francés era mucho más voluminosa y de no poco valor literario, como lo atestigua la Historia. Apareció la obra bajo el humilde aparato literario del anónimo, que perduró en las primeras ediciones, mejoradas y aumentadas notablemente en el número de caracteres morales diversos, que observando las costumbres sociales de su tiempo, había descubierto. Ganó en importancia la obra y las formas literarias se multiplicaron. Desde el punto de vista de la originalidad se ha discutido bastante su posición personal. Para el articulista La Bruyere con el fin de evitar las críticas de sus contemporáneos, se hizo traductor de Teofrasto para ser luego su continuador. Sabe el griego, pero bastante mal. Emplea para salir airoso de la empresa las versiones latinas, que existían de la obra de Teofrasto. Esto nos da la clave para explicar las deficiencias en la traducción.—L'evolution politique de Victor Hugo jusqu' a l'exil. Un aspecto interesante de la vida del poeta inmortal es la de sus actuaciones políticas, que le valieron

muchas críticas y le crearon no pocos enemigos. El Prof. Ascoli expone este punto de vista en el presente artículo.—Les Instituts de l'Université de Paris. Relaciones anuales del Institut d'Ethnologie, Institut français de Varsvie, Institut français Ernest-Denis a Prague...—Vie scientifique. Disertaciones y publicaciones científicas.

“GREGORIANUM”. — Anno XVII, Fasc. 1, 1936, Vol. XVII.—El P. Suárez y la Inquisición española en 1594. Memorial del mismo sobre la cuestión “de auxiliis divinae gratiae”, por el P. Llorca. Publica el autor varios documentos para el estudio de las famosas cuestiones teológicas, agitadas en el siglo XVI y siguientes. Es de importancia para el estudio de la verdadera posición de Suárez al empezar la controversia.—History of the Editions of St. Thomas's “De unitate intellectus”. Analiza el P. Keeler las diversas adiciones, que han aparecido de este famoso opusculo del Santo Doctor. Aun está lejos de hacerse la edición definitiva, siendo muchas de las que existen imperfectas. Los editores han prescindido con demasiada frecuencia del estudio de los manuscritos por mas que dicen lo contrario en sus introducciones.—Die Unbeflecte Empfangnis der Gottesmutter in der griechischen Ueberlieferung. Continúa el P. Mueller su estudio acerca de la doctrina de la Inmaculada Concepción en la Iglesia Oriental.—Nestorianisme et Néoplatonisme. L'unité du Christ et

l' union des "Inteligibles", por R. Arnou. Hermoso artículo, donde el autor explica un punto famoso de la Cristología recurriendo a las naciones filosóficas, que formaron la mentalidad de los defensores de las doctrinas condenadas por la Iglesia. El concepto de la unidad, según la filosofía neo-platónica jugó un papel importante en la posición nestoriana.—Novi in "Canticum" commentarii recensio et brevis de sensu litterali et typico disceptatio, por F. Ogara.—De vero sensu principii "actus specificatur ab obiecto formali", por H. Lennerz.—**Recensiones.**

ANNALES DE L'UNIVERSITE DE PARIS.—Ile. Année, No. 1, Janv.-Février, 1936.—**Faculté de Droit**, Sesión inaugural y relación acerca del estado de la Facultad, por el Decano.—**L'étude de phonemes japonais au moyen de films sonores**. El Prof. Takanadaté en vista de los resultados, obtenidos en el estudio de los sonidos acusticos por el científico japonés Taguti y otros con aparatos de propia invención y siendo por otra semejantes a los científicos de Europa, especialistas en lingüística y fonética se inclina a creer en la técnica perfecta del método japonés y en la utilidad de la doble curva gráfica que reproduce el film sonoro en dicho instrumento, de las cuales una sirve para el análisis acústico y la otra para el visual.—**A l'Aurore de la science moderne (La jeunesse de Galilée)**. Continúa en este número el Sr. A. Koyré su estudio acerca de la reacción que en la Física operó Galileo en contra de la reinante, aristotélica, encauzando por nuevos derroteros los problemas físicos y dando comienzo a la nueva Física. En Padua Galileo desarrollará una Física de orientación e inspiración

arquimediana, lo quiere decir que se trata de una Física matemática y abstracta.—**Les Instituts de l'Université de Paris**.—Relaciones anuales por los decanos de Instituts de Statistique de l'Université de Paris, Laboratoire de Biologie végétale P.C.B. de la Sorbonne, Institut français de Damas.—**Vie scientifique**. Trabajos y publicaciones.—**Chronique de l'Université**.

REVISTA DEL COLEGIO DE ABOGADOS DE BUENOS AIRES.—Noviembre-Diciembre, 1935.—**La quiebra en el derecho internacional** por Segundo V. Linares Quintana. Examina los siguientes puntos: Derecho internacional de la quiebra y Derecho comparado de la quiebra; el problema del derecho internacional de la quiebra; soluciones; la cuestión en la legislación argentina; la cuestión en el tratado de Montevideo.—**Autos inútiles** por Fernando del Rio.—**Las infracciones al enrolamiento** por Eduardo Garcia Quiroga.—**JURISPRUDENCIA EXTRANJERA** (Continuación) 1) Obligaciones al oro. 2) Independientemente de la "joint Resolution" no hay una base para acceder a la pretensión de los demandados en otra forma que por el valor nominal de los títulos.

IDEM—Enero-Febrero, 1936.—**Victor Hugo, el Derecho y la Justicia**. Discurso pronunciado por Juan Appleton en el Sexto Congreso de la Union Internacional de Abogados celebrado en Bruselas los días 5 a 7 de Junio 1935.—**Síntesis Crítica de la evolución conceptual de la causa**, por Enrique V. Galli.—**Nada nuevo**, por Alfredo Schafroth.—**LEGISLACION NACIONAL**; Supresión de la feria judicial. **LEGISLACION EXTRANJERA**; Luxemburgo—Proyecto de ley

relativo al saneamiento de ciertos créditos privilegiados e hipotecarios. — JURISPRUDENCIA EXTRANJERA — Interpretación de moneda oro.

REVISTA MUNICIPAL Y DE INTERESES ECONOMICOS.—Habana, Marzo-Abril, 1936.—La ciencia municipal y el derecho civil o privado (editorial).—Nueva política en materia eléctrica, por el Dr. Pablo Carrera Justiz.—El régimen municipal en las constituciones emancipadoras, por el Dr. Andrés Angulo.—El Instituto de Ciencias Municipales de la Universidad de Berlín, prefacio de un folleto por el Dr. Carrera Justiz.

REVISTA FILIPINA DE MEDICINA Y FARMACIA.—Abril de 1936.—The Scientific Basis of Some of Our Products, by Dr. M. V. Arguelles.—Sedopressor in the Treatment of the hypertension, by Drs. Ricardo Molina and Agustin Liboro.—Some Preventive Suggestions against High Infant Mortality, by Dr. Eladio de Guía.—Present Hospital Facilities in the Philippines, by Dr. Sixto A. Francisco.

DOMINICANA — March, 1936. Vol. XXI, No. 1.—The Mass of Easter Sunday by Camillus Lillie, O.P. Some liturgical comments to the different parts of the Mass Of Eastern Sunday.—“ARMA VIRUMQUE CANO” by Reginald Coffey, O.P. In the American History course in the average American school the students hear a great deal about English activities in the New World and very little about Spanish and French, besides the tendency to minimize the effect and undoubted contribution of Spanish colonization following an anti-catholic tradition. This article contains a timely defense of the Spanish colonizers in North America. Obligation? Naturally! by Mathias

Cain, O.P. A refutation of the old saying “Do as wish but don't get caught”. There exist a natural moral law which a derivation of the eternal law, and the obligation to it flows from the necessary ordination of human nature to its last end.—The Courage of a Maid, by Sebastian Carlson, O.P. The supreme example of fortitude of St. Joan of Arc. Mixed Marriage—Unmixed Tragedy, by William Curran O.P. The author recalls the tragic consequences that mixed marriages bring in most of the cases.—Phases of Art, by Theodore Carl, O.P. All art comes from God and the art is not for art's sake, but for man's—to lead him along his narrow road to God.

REVISTA JAVERIANA, No. 21, Febrero, 1936.—Orientaciones, por Félix Restrepo, S.J. Examina el autor las razones que ha tenido Italia para emprender la conquista de Etiopia y que no han sido debidamente consideradas por la Liga de Naciones; de ahí el fallo de esta en contra de Italia.—Los fenómenos telepáticos (Estudios experimentales) por Rodrigo Noguera. El autor deriva las siguientes conclusiones que por cierto no se pueden considerar como una plena solución del problema; 1.a Que el deseo de coincidir es la causa principal de las coincidencias, aunque contrarestada por otras desconocidas, que no se presenten sino en una minoría de casos; y 2.a Que, aparte del deseo, hay también otras causas menos importantes favorables al fenómeno.—Boletín de filosofía por D. Dominguez, S.J. Examina las tendencias filosóficas de las últimas publicaciones.

REVISTA JAVERIANA No. 22, Marzo, 1936.—Orientaciones, por Felix Restrepo, S.J. Comentarios y anotaciones sobre las posibilida-

des de un conflicto escolar en Colombia.—**Nociones de alta crítica**, por Daniel Restrepo, S.J. Examina a la luz de la razón los siguientes puntos de indiscutible importancia apologética: Existe una crítica teológica; Obsesión teológica. Dios y la razón; corolarios. La Providencia y la finalidad religiosa del hombre. Filosofía de la Religión. Los dinteles de la Teología sobrenatural.—**Boletín de historia**, por Gabriel Giraldo Z., S.J. Comprende las diversas actividades históricas durante el año de 1935. La principal entre ellas es 26º Congreso de Americanistas celebrado en Sevilla del 12 al 20 de Octubre en el que la actuación del P. Las Casas fue objeto de acaloradas discusiones.

CLAXON—Revista de difusión cul-

tural y automovilismo. La Habana, Abril de 1935.—**Más sobre un proyecto**; editorial.—**Giorno en escala leve**, por R. Arguelles Barcelo.—**La edad de oro**, por Luis Aguilar poveda.—**Irá lejos porque cree lo que dice**, por el Dr. Gerardo Houguet Muñoz.—**Pequeña historia de los neumáticos**, por Firestoniano.—**Estados Bárbaros**, por Antonio Brion (Buenos Aires)—**El tango, falso arte popular**, por Pedro R. Piller.—**Como viven los indios en Ecuador**; interesante relación de las miserables condiciones en que viven mas de un millón de indios ecuatorianos.—**Los que teníamos catorce años antes de la Guerra Europea, ahora tenemos cuarenta**; por Elías Castelnovo.—**Útiles advertencias a los automovilistas**, por William O. Vendreyes.

BOOK REVIEWS

A History of the Far East.—By G. Nye Steiger. (Ginn and Company. 1936. pp. vii, 928. \$.)

Most useful to the students of Far Eastern history in particular and to those of world history in general, this book which is delightfully written fills a long-felt need. It manifests throughout a mastery of the subject, a fine appreciation of relative values, and a keen observation of conflicting issues. It is, besides, most timely, considering the attention of the entire world on the Far Eastern affairs specially as regards the recent conflicts between China and Japan over Manchuria and the adjacent territories. The use of some thirty maps and sketches further makes the book interesting.

The book which is divided into thirty two chapters, together with a finely prepared list of references and index, treats of China, India, Japan, Asiatic Russia, the United States in the Far East, Manchuria, the Dutch, the French, the Portuguese and the British in the Far East, and Malaysia. The chapter relating specially to the Philippines is enlightening and impartial in its general entirety, while those about Manchuria are highly commendable and manifest keen observation of facts interpreted in accordance with true historical criteria.

E. M. S.

Las Tres Vias Y Las Tres Conversiones.—Por el P. R. Garrigueu-La-

grange, O.P. Traducción española, editada por Editorial Políglota, Apart. 527, Barcelona. Un volumen, pags. 255.

La Editorial políglota ha tenido la feliz idea de lanzar a luz en traducción este hermoso trabajo del insigne místico dominico, P. Garrigueu-Lagrange, autoridad competísimas en materias de espíritu. Ha querido el autor sintetizar en el trabajo, que presentamos al público, su orientación personal en el campo de la mística; determinar su entronque doctrinal dentro de la mística tradicional, representada por el Pseudo-Dionisio, Santo Tomás, San Juan de La Cruz, Santa Teresa, el P. Lallement, etc.; compendiarse a si mismo, que en clase con sus numerosos alumnos del Angélico de Roma, en las revistas francesas, italianas y españolas con sus asiduos lectores, y en sus dos voluminosos trabajos, que llevan por título *Perfection chrétienne et Contemplation* y *L'Amour de Dieu et la Croix de Jésus* había tratado con más extensión esos delicados problemas. Y lo ha conseguido plenamente.

Este compendio adquiere por esas razones una actualidad palpitante. No sólo las almas devotas tienen en él páginas de honda espiritualidad, sino que en el mismo pueden los intelectuales comprender la razón de existir de los fenómenos místicos, dentro de la Religión Católica, así como también familiarizarse con la nueva orientación de la mística, que no es otra que la perfecta

comprensión de la tradicional y clásica. Las hermosas realidades de la vida interior, el lugar que ocupa entre los deberes humanos y su importancia trascendental desde el punto de vista social, que tanto a la generación actual son otras tantas razones, que deben mover al lector a meditar este libro. Directores de almas, religiosas, sacerdotes y aspirantes al mismo pueden aprender en él la verdadera y la más esencial en la orientación mística.

Bien está enseñar a los fieles, como nota el traductor, los métodos de oración, el examen de conciencia, los escollos y tentaciones, que tienen que vencer. Mas necesario es "que tengan un concepto claro y preciso de lo que es substantivo y primordial en el organismo de la vida interior: concepto claro y preciso de la naturaleza de la gracia, de la presencia de la Santísima Trinidad en el alma del justo, de la eficacia de los Sacramentos, de la necesidad y función de los Dones del Espíritu Santo; de lo que significan, en la economía de lo sobrenatural, los sublimes misterios de la Eucaristía, de la Encarnación y Redención; del origen, desenvolvimiento y término de la gracia santificante en el alma de quien de veras y sin desfallecimiento se entre-

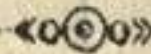
ga al servicio de Dios." Y esto es lo que el lector encontrará en este tomo, que lleva el título de LAS TRES VIAS Y LAS TRE CONVERSIONES y que vivamente recomendamos.

A. G. LI.

THE CATHOLIC SUNDAY MISSAL—Arranged for Sunday and Festival Use by Rev. Charles J. CALLAN, O.P. and Rev. John A. McHUGH, O.P., Masters of Sacred Theology.—The distinctive features of this new English Translation of the **MISSALE ROMANUM** are such as to make it really unique. It is **complete** because it contains every Mass which supplants Sunday Masses during the years 1936 to 1940—no other edition makes this claim. It is **authoritative** because the Authors are men of accomplishment as well as reputation. Its **ease of use** is immediately noticeable because each Mass is given in complete form. **Large clear type** makes this presentation outstanding as a suitable text-book. It contains also an Explanation of the Mass, Missal, Vestments, etc., in fifty three pages.

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