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Argument for Plaintiff in Error. 212 U. S.

Title 12, Laws 5, 7, 9, 14, 16, 17, 18, 19; Justinian Code, Book 7,

Title 37, c. 1; Book 7, Title 39, c. 4, c. 9; Royal Decree, February 31, 1889; 2 Alcubilla (5th ed.), 692; Third Partida, Title 29,

Laws 7, 18, 21.

Translation of the Civil Code in force in Cuba, Porto Rico, and the Philippines, 1893, War Dept. 1899, Arts. 339, 340, 342, 345; and Arts. 1930-6, 1959; Rosa v. Natalio, 7 Philippine, 556; Francisco Aragon Gonzalez, decided by Supreme Court Spain, April 16, 1881; 46 Jurisprudencia Civil, 9; Madrid, 1882; 3 Sanchez Roman, p. 277, and Alcubilla, 1906, 602; The Sixth Partida, Title 19, Law 10; The Novisima Recopilacion, Book XI, Title 8, Law 4; Ordenanzas Reales de Castilla, Book III, Title 13, L. VI; Bracton, Lib. 2, c. 5, § 7, as cited by Story, J., in United States v. Hoar, 2 Mason, 311; S. C. Fed. Cas. No. 15,373; Pollock & Maitland, Hist. Eng. Law, Vol. 1, 572; Vol. II,

144; Statute of 9 Geo. 111, 3, c. 16, Valenton v. Murciano, 3 Philippine, 540; Philippine "Mortgage Law," § 389; Royal Cedula

of October 15, 1754; Royal Decree of June 25, 1880, Arts. 4 and 5; "Guia de Compradores de Terrenos Baldios y Realengos de Filipinas," Berriz, 1886, pp. 17-23; Spanish Civil Code, Arts. 348, 467, 1930, 1940, 1952, 1959, et seq.; "Land Registration Act"

of 1902, § 19, Cl. 1st; Law 1 and Law 2, Title 34, Book II, Novisima Recopilacion; Alcubilla, Vol. 8, p. 776, note 4; Art. X,

Const. of Spain, June 30, 1876; Art. VIII, Regulations of 1880. Carifio had a legal title under the Civil Code. Registration was a mere procedural formality and did not create property. In any event, he had a right of property under Spanish law which was protected by the Treaty of Paris. Buenaventura v. Commanding General, 6 Philippine, 601; Treaty of Paris; Compilation of Treaties, 1904, 725; Delassus v. United States, 9 Peters, 133; Act temporarily to provide for the affairs of civil government in Philippine Islands, July, 1902, §§ 12, 14, 16;

Public Land Act, No. 926, Comp. Laws and Regulations of Public Lands in Philippine Islands War Dept., Bureau of Insular

Affairs, 1908, Chapter VI, § 54; Compilation of Laws and Regulations relating to Public Lands-in the Philippine Islands.

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