

Opinion of the Court.

Government established a court of land registration and prescribed such rules and regulations. Philippine Acts, Nos. 496, 926.

These were, however, suspended as to the Province of Benguet

in which the land in controversy is situated, and for that reason there was no forum in which plaintiff could have legally

established the title he claimed. ' Accordingly the court of Land Registration in attempting to hear and determine his rights was without jurisdiction. This land was a military reservation of the United States, and military and other reservations were excepted from the provision of the organic act that property acquired from Spain should be administered for the benefit of the inhabitants of the Philippines. Further, in reference to the sale of public lands to actual occupants or settlers and others, as in reference to perfecting title to those who prior to

the transfer of sovereignty had fulfilled all or some of the conditions required by the Spanish law for the acquisition of legal

title, yet had failed to secure conveyance of title, there is an express restriction to an area of 16 hectares, and the tract here contains 150 hectares. Sections 12, 16, act of July 1, 1902, 32 Stat. 691, 695, 696.

MR. JUSTICE HOLMES delivered the opinion of the court.

This was an application to the Philippine Court of Land Registration for the registration of certain land. The application

was granted by the court on March 4, 1904. An appeal was taken to the Court of First Instance of the Province of Benguet, on behalf of the Government of the Philippines and also on behalf of the United States, those Governments having taken possession of the property for public and military purposes. The Court of First Instance found the facts and dismissed the application upon grounds of law. This judgment was affirmed by the Supreme Court, 7 Philippine, 132, and the case then was brought here by writ of error. . The material facts found are very few. The applicant and plaintiff in error is an Igorot of the Province of Benguet, where the land lies. For more than fifty years before the Treaty of

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