

Opinion of the Court. 212 U. S.

in the same zone of civilization with themselves. It is true also that in legal theory sovereignty is absolute, and that as against foreign nations, the United States may assert, as Spain asserted,

absolute power. But it does not follow that as against the inhabitants of the Philippines the United States asserts that

Spain had such power. When theory is left on one side sovereignty is a question of strength and may vary in, degree. How

far a new sovereign shall insist upon the theoretical relation of

the subjects to the head in the past and how far it shall recognize actual facts are matters for it to decide.

The Province of Benguet was inhabited by a tribe that the Solicitor General, in his argument, characterized as a savage

tribe that never was brought under the civil or military government of the Spanish Crown. It seems probable, if not certain, that the Spanish officials would not have granted to any

one in that province the registration to which formerly the plaintiff was entitled by the Spanish laws, and which would have made his title beyond question good. Whatever may have been the technical position of Spain, it does not follow that, in the view of the United States, he had lost all rights and was a mere trespasser, when the present Government seized his land. The argument to that effect seems to amount to a denial of native titles throughout an important part of the island of Luzon, at least, for the want of ceremonies which the Spaniards would not have permitted and had not the power to enforce.

The acquisition of the Philippines was not like the settlement of the white race in the United States, Whatever consideration may have been shown to the North American Indians,

the dominant purpose of the whites in America was to occupy the land. It is obvious that, however stated, the reason for our taking over the Philippines was different. No one, we suppose, would deny that, so far as consistent with paramount necessities,

our first object in the internal administration of the islands is

,to do justice to the natives, not to exploit their country for private gain. By the organic act of July 1, 1902, c.. 1369, § 12, 32

Stat. 691, ,all the property and rights acquired there by the

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