

Opinion of the Court.

United States are to be administered "for the, benefit of the inhabitants thereof." It is reasonable to suppose that the attitude

thus assumed by the United States with regard to what was unquestionably its own is also its attitude in deciding what it will claim for its own. The same statute made a bill of rights embodying the safeguards of the Constitution, and, like the Constitution, extends those safeguards to all. It provides that "no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws."

§ 5. In the light of the declaration that we have quoted from § 12, it is hard to believe that the United States was ready to declare in the next breath that "any person" did not embrace the inhabitants of Benguet, or that it meant by f' property " only

that which had become such by ceremonies of which presumably a large part of the inhabitants never had heard, and that

it proposed to treat as public land what they, by native custom

and by long association, one of the profoundest factors in human thought, regarded as their own.

It is true that by § 14 the Government of the Philippines is empowered to enact rules and prescribe terms for perfecting titles to public lands where some but not all Spanish conditions had been fulfilled, and to issue patents to natives for not more than sixteen hectares of public lands actually occupied by the native or his ancestors before August 13, 1898. But this section

perhaps might be satisfied if confined to cases where the occupation was of land admitted to be public land and had not continued for such a length of time and under such circumstances

as to give rise to the understanding that the occupant were

owners at that date. We hesitate to suppose that it was intended to declare every native who had not a paper title a trespasser and to set the claims of all the wilder tribes afloat. It is

true again that there is excepted from the provision that we have quoted as to the administration of the property and rights; acquired by the United States, such land and property as shall be designated by the President for military or other reser-

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