

United States Vs. Mesa

United States Vs. Mesa

SooperKanoon Citation : sooperkanoon.com/91555

Court : US Supreme Court

Decided On : May-05-1913

Appeal No. : 228 U.S. 533

Appellant : United States

Respondent : Mesa

Judgement :

United States v. Mesa - 228 U.S. 533 (1913)

U.S. Supreme Court United States v. Mesa, 228 U.S. 533 (1913)

United States v. Mesa

No. 864

Argued April 11, 1913

Decided May 5, 1913

228 U.S. 533

ERROR TO THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF TEXAS

SYLLABUS

Decided on authority of preceding case.

199 F. 518 reversed.

The facts are stated in the opinion.

MR. CHIEF JUSTICE WHITE delivered the opinion of the Court.

The defendant in error was indicted upon the charge that within the jurisdiction of the court he

"did unlawfully, knowingly, willfully, and with intent to export the munitions of war hereinafter described from the said City of El Paso to Ciudad Juarez, in Mexico, make a certain shipment of certain munitions of war, to-wit: three thousand (3,000) Winchester rifle cartridges of the caliber 44 -- that is to say, did make a shipment of said munitions of war from said City of El Paso, and with said Ciudad Juarez, in Mexico, as the destination of said shipment, by transporting the same in a wagon from a point,"

etc.

Page 228 U. S. 534

A demurrer to the indictment was heard, along with the demurrer to the indictment in the case against Chavez, which we have just decided. The demurrer was sustained and the indictment quashed upon the opinion rendered in the *Chavez* case. The ruling which we have just made in that case is therefore applicable to this, and necessitates a reversal.

Judgment reversed.