

necessary in the present case to enter upon a review of the authorities.

I dissent from the opinion and judgment of the court.

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SECUNDINO MENDEZONA Y MENDEZONA *v.* UNITED STATES.

ERROR TO THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

No. 584. Argued April 22, 1904.—Decided May 31, 1904.

Decided on authority of *Kepner v. United States*, ante, p. 100.

No brief filed for plaintiff in error.

*Mr. L. R. Wilfley*, Attorney General for the Philippine Islands and *Mr. Solicitor General Hoyt*, for the United States.

MR. JUSTICE DAY delivered the opinion of the court.

This case involves the question just decided in *Kepner v. United States*, ante, p. 100. The plaintiff in error was acquitted in the court of first instance and convicted in the Supreme Court of the Philippine Islands.

For the reasons stated in the *Kepner* case, the judgment herein is reversed, and the prisoner discharged.

Dissenting: MR. JUSTICE BROWN, MR. JUSTICE WHITE, MR. JUSTICE MCKENNA and MR. JUSTICE HOLMES.