

REPORTS OF INTERNATIONAL ARBITRAL AWARDS

RECUEIL DES SENTENCES ARBITRALES

**Veracruz Telephone Construction Syndicate (Great Britain) v. United Mexican
States**

22 January 1932

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1. The Mexican Agent refers to a question asked by the Chairman of the Commission in the meeting of the 3rd August, 1931, whether in any letters, notes or telegrams exchanged shortly after the events, there was any declaration by the Mexican Government in regard to the authorities at Chihuahua having warned Mr. Watson that it was not advisable that he should enter the region where the attack took place.

The Mexican Agent states that he has not found a declaration to that effect, but, that Messrs. Rafael Calderón, Jr., and Gonzalo N. Santos are able to give evidence on the subject and with respect to other points connected with it, and that they are ready to appear before the Commission.

The Agent requests the Commission to reopen the case, so that the testimony of Messrs. Calderón and Santos may be received.

2. The Commission, considering articles 28, 41 and 43 of the Rules of Procedure, are of opinion that they are not entitled to hear new witnesses after the pleadings were closed on the 3rd August, and that a reopening can only tend to hear again the Agents on any points they, the Commission, may deem necessary.

They have no objection against taking cognizance of a new document produced by the Mexican Agent, and in which may be protocolized the evidence to be given by Messrs. Calderón and Santos before a Mexican authority. Neither will they object to a discussion on this new evidence, as far as it relates to the question asked by the Chairman in the meeting of the 3rd August, 1931.

3. The Commission rule that the case is reopened in order that the Agents may present oral arguments which must be strictly confined to the document described in section 2, and which may not exceed the scope of the question asked by the Chairman in the meeting of the 3rd August, 1931.

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(Decision No. 120, January 22, 1932. Pages 354-355. See also decision No. 8.)

PROCEDURE, MOTION TO REOPEN CASE. Motion to reopen case *granted*, limited to presentation of oral arguments by Agents on new evidence submitted to the tribunal.

1. The Mexican Agent has placed at the disposal of the Commission the original record of the proceedings instituted by the claimant Company against the Government of Veracruz, which record the Chairman of the Commission had requested the Agents to file.

The Mexican Agent, wishing to comment upon this evidence, has requested to reopen the case.

2. The Commission rule that the case is reopened in order that the Agents may present oral arguments which must be strictly confined to the new evidence submitted to the Commission.
