

**REPORTS OF INTERNATIONAL  
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**RECUEIL DES SENTENCES  
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**Italian-Venezuelan Commission: Time extended for submitting Claims  
(questions of procedure)**

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Venezuela and a reply to be obtained), would, in addition to the period of four and one-half months now elapsing, from February 13 to July 1, meet all reasonable requirements.

Furthermore, however, the Commission might properly take into consideration at a later period any claim the existence of which should be made known to the Commission at any time before the termination of the additional time now proposed.

In view of the foregoing, the following order may be entered upon the minutes:

*Ordered*, That the period for the presentation of claims before the Italian and Venezuelan Commission be extended to and including August 9, 1903: *Provided, however*, That the royal Italian legation shall be at liberty after that date, and before November 1, 1903, to present any claim, official knowledge of the existence of which shall be brought to the Commission on or before August 9, but with relation to which, for lack of data, the royal Italian legation shall not then have been able to submit a formal claim: *And provided further*, That for cause shown, on or before said date, this order may be enlarged as of this day.

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#### TIME EXTENDED FOR SUBMITTING CLAIMS

Further allowing an extension of time for submitting certain claims to November 1, 1903.

RALSTON, *Umpire*:

The royal Italian legation has duly submitted an application for an enlargement of the time for presenting certain claims in accordance with the reservation contained in the order of the umpire of June 18, 1903, and in support shows that thirty claims are expected to arrive from Ciudad Bolívar, but that the names of the possible claimants have not yet come to hand; and further, that although registered letters have been sent to some 37 places named, neither the original letters nor the signed receipts have been returned, indicating want of proper postal communication.

The umpire believes that liberality should be shown in the application of the clause of the protocol referring to extensions, to the end that this Commission may fulfill as far as possible the object of its formation by determining all Italian claims. At the same time he recognizes that the labors of the Commission must be brought to a speedy finality.

He will therefore sign an order enlarging as of the date of June 18 the order then made, so that the 30 claims to be submitted from Ciudad Bolívar and any from the 37 places named may be entirely presented for action by November 1.

On behalf of the Venezuelan Government the umpire is asked to interpret the order of June 18, so that all claims, the names of whose owners are at this time to be submitted to the Commission, may at once be fully presented.

The umpire recognizes the difficulty of the situation in this respect, owing to the large number of papers recently received by the royal Italian legation, and at this time prefers accepting the assurance of the legation that all claims will be presented as rapidly as the papers can possibly be arranged. He does, however, in the enlarged order, change the former one by specifically requiring all claims to be presented formally and fully, with all supporting evidence, by November 1, his personal desire, however, being that they should be completely filed by October 1.

The royal Italian legation submits the question whether the claims not presented within the period limited shall on this account be excluded from

future indemnity. So far as this Commission is concerned the answer must be that they will be excluded. It would be beyond the jurisdiction of this Commission or its umpire to make any more comprehensive ruling as to effect of the protocol upon claims not presented to it.

In view of the foregoing, the following order may be entered upon the minutes:

*Ordered:* That the order of June 18, 1903, relating to the presentation of claims be enlarged as of that date so as to read as follows:

*Ordered.* That the period for the presentation of claims before the Italian and Venezuelan Commission be extended to and including August 10, 1903: *Provided, however,* That the royal Italian legation shall be at liberty after that date and before November 1, 1903, to present formally and fully, with all supporting evidence, any claim official knowledge of the existence of which shall be brought to the Commission on or before August 10, but with relation to which, for lack of data, the royal Italian legation shall not then have been able to submit a formal claim, but with further leave to said legation to bring to the official knowledge of the Commission the names of 30 claimants at Ciudad Bolívar and whatever claimants may exist at Altigracia (de Orituco), Nutrias, Tovar (2), Betijoque, Sebruico, S. Diego, Caripe, Amparo (2), Mitón, Yaritagua, Mendoza, S. Simón, Monte Carmela, Libertad, S. José (de Sucre), Upata, Soledad, Escuque, Turmero, Rubio, Quibor, Río Caribe, Caicara, Socorro, Carajal, Jabón, Aragua (2), Paraguaipoa, Cocorote, Guasipati, Cumarebo, and Tacarigua, San Fernando de Apure, Guama, Sta. Ipire, Colonia Bolívar, and Palmira, on or before September 21, presenting their claims formally and fully, with all supporting evidence, before November 1, 1903.

#### RECEPTION OF EVIDENCE AND CLAIMS

(By the Umpire:)

Additional evidence in support of reclamations may be received after the time for filing claims has expired.

Where within the time limited for the filing of claims nothing more has been presented than a statement (unsupported by proof) that a claim exists, no evidence in substantiation is thereafter receivable.

A "claim" must at least be sufficient to inform the respondent of the right claimed or the wrong inflicted.

AGNOLI, *Commissioner* (claim referred to umpire):

Regarding the question of admitting claims, lacking documents, to-day presented to the Commission by the royal Italian legation, the Italian Commissioner remarks as follows:

It would seem that there can be no doubt except as regards claims not accompanied by a statement of damages, because claims having only said statement have been admitted and even favorably considered in other commissions. A simple written or even verbal demand may have sufficient evidence of veracity to enable the Commission, which is a tribunal of absolute equity, to take it into consideration and pass upon it. In any case the declarations of a claimant constitute a proof which should be studied and weighed by the Commission. Such declaration may even assume the character of an absolute proof, if supported by the sworn statement of the claimant. In practice this principle has been admitted by this Commission in two instances of claims received. The Commission would judge, therefore, said claims when both Commissioners within the limits of the protocol of May 7, 1903, find it proper to pronounce thereon.

It can not be admitted in justice and equity that the Venezuelan Commis-