

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

T. J. Snapp (U.S.A.) v. United Mexican States

21 July 1927

VOLUME IV p. 273



NATIONS UNIES - UNITED NATIONS
Copyright (c) 2006

T. J. SNAPP (U.S.A.) *v.* UNITED MEXICAN STATES.

(July 21, 1927. Pages 407-408.)

FAILURE TO APPREHEND OR PUNISH.—EFFECT OF ACT OF AMNESTY. Claim arising under same circumstances as those of *F. R. West* claim *supra* allowed.

Cross-references: Am. J. Int. Law, Vol. 22, 1928, p. 455; British Yearbook, Vol. 9, 1928, p. 163.

(Text of decision omitted.)

SALOME LERMA VDA. DE GALVAN (UNITED MEXICAN STATES)
v. UNITED STATES OF AMERICA.

(July 21, 1927. Pages 408-411.)

FAILURE TO APPREHEND OR PUNISH. Claim for death of Mexican subject, whose murderer was indicted by grand jury but never brought to trial or punished, *allowed*.

Cross-references: Am. J. Int. Law, Vol. 22, 1928, p. 455; Annual Digest, 1927-1928, p. 218; British Yearbook, Vol. 9, 1928, p. 159.

Nielsen, Commissioner :

1. Claim is made in this case in the amount of 50,000 pesos, by the United Mexican States, in behalf of Salomé Lerma de Galván, mother of Adolfo Pedro Galván, a Mexican citizen, who was killed in August, 1921, at Driscoll, Texas, by an American citizen named Hugh K. Kondall. The facts in the case as disclosed by the record may be briefly summarized.

2. Kondall and Galván were employed as foreman and laborer, respectively, in the construction of a bridge at a point about a half mile north of the depot at Driscoll. On the morning of August 25, 1921, Galván had a slight altercation with the son of Kondall who supplied drinking water to the workmen. It appears that Kondall was angered when he learned of the episode and proceeded to his house where he probably procured a pistol. He thereupon returned to the place where Galván was working. There is evidence that the latter, when he knew that Kondall was armed with a pistol, proceeded with a raised hammer in his hand toward the spot where Kondall and another man were standing, and that Kondall thereupon twice shot Galván who died shortly thereafter.

3. Kondall was immediately taken into custody by the local authorities and charged with murder. On August 29, 1921, he was given a preliminary hearing before a justice of the peace at which several eye witnesses of the shooting were examined. The accused was required to give a bond in the amount of \$25,000 for his appearance before the Criminal District Court