

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

Ben B. McMahan (U.S.A.) v. United Mexican States

30 April 1929

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he started. He was deprived of his means of transportation, and even if such means had been available, it may be assumed that the occupants of the boats, in view of their experiences, would not have attempted to return by water. I of course am of the opinion that the claimant should have the sum awarded and, as I have indicated, something more.

BEN B. McMAHAN (U.S.A.) *v.* UNITED MEXICAN STATES

(April 30, 1929, dissenting opinion by American Commissioner, undated. Pages 249-250.)

RESPONSIBILITY FOR ACTS OF SOLDIERS.—DIRECT RESPONSIBILITY.—UNNECESSARY USE OF ARMS.—RIGHT OF NAVIGATION OF RIO GRANDE RIVER.—EXERCISE OF POLICE POWER AT INTERNATIONAL BOUNDARY.—LOSS AND CONFISCATION OF PROPERTY, Claim arising under same circumstances as those set forth in *James H. McMahan* claim *supra* allowed.

(Text of decision omitted.)

BARTHENIA STRICKLAND (U.S.A.) *v.* UNITED MEXICAN STATES

(April 30, 1929, dissenting opinion by American Commissioner, undated. Pages 250-252.)

SURVIVAL OF CLAIM FOR LOSS OF PROPERTY.—PROPER PARTY CLAIMANT. Claimant's son suffered loss of personal property in circumstances set forth in *James H. McMahan* claim *supra*. Such son died in 1917. Held, claimant entitled to present claim.

RESPONSIBILITY FOR ACTS OF SOLDIERS.—DIRECT RESPONSIBILITY.—UNNECESSARY USE OF ARMS.—RIGHT OF NAVIGATION OF RIO GRANDE RIVER.—EXERCISE OF POLICE POWER AT INTERNATIONAL BOUNDARY.—LOSS AND CONFISCATION OF PROPERTY. Claim arising under same circumstances as those set forth in *James H. McMahan* claim *supra* allowed.

(Text of decision omitted.)

LILY J. COSTELLO, MARIA EUGENIA COSTELLO and ANA MARIA COSTELLO (U.S.A.) *v.* UNITED MEXICAN STATES

(April 30, 1929, concurring opinion by Presiding Commissioner, April 30, 1929, concurring opinion by Mexican Commissioner, April 30, 1929. Pages 252-265.)

NATIONALITY.—NATURALIZATION OF CHILD THROUGH NATURALIZATION OF PARENT. Child born abroad and resident abroad at time of naturalization in the United States of his father, which child subsequently removed to and resided in United States, held American citizen.