

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

Wells Fargo Bank and Union Trust Company (U.S.A.) v. United Mexican States

7 October 1926

VOLUME IV p. 60



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and introduction of further evidence but, after expiration of time allowed for this purpose, no further evidence was produced, claim *dismissed*.

(Text of decision omitted.)

WELLS FARGO BANK AND UNION TRUST COMPANY (U.S.A.)
v. UNITED MEXICAN STATES.

(October 7, 1926. Page 71.)

PROCEDURE, MOTION FOR LEAVE TO FILE MEMORIAL.—AMENDMENT OF MEMORIAL. Motion for leave to file a memorial under a different name from that in the memorandum *denied* without prejudice to procedure of filing memorial on basis of memorandum followed by filing of motion to amend such memorial.

(Text of decision omitted.)

L. F. H. NEER AND PAULINE NEER (U.S.A.) *v.* UNITED MEXICAN STATES.

(October 15, 1926, concurring opinion by American Commissioner, undated. Pages 71-80.)

DENIAL OF JUSTICE.—FAILURE TO APPREHEND OR PUNISH.—INTERNATIONAL STANDARD. In absence of evidence establishing that action of authorities in failing to apprehend or punish those guilty of murder of American citizen amounted to an outrage or such a failure to reach international standard that would be conceded by every reasonable man, claim *disallowed*.

Cross-references: Annual Digest, 1925-1926, p. 213; British Yearbook, Vol. 8, 1927, p. 183.

Comments: Edwin M. Borchard, "Important Decisions of the Mixed Claims Commission, United States and Mexico," Am. J. Int. Law, Vol. 21, 1927, p. 516 at 521; Joseph Conrad Fehr, "International Law as Applied by U.S.-Mexico Claims Commission," A.B.A. Jour., Vol. 14, 1928, p. 312.

1. This claim is presented by the United States against the United Mexican States in behalf of L. Fay H. Neer, widow, and Pauline E. Neer, daughter, of Paul Neer, who, at the time of his death, was employed as superintendent of a mine in the vicinity of Guanaceví, State of Durango, Mexico. On November 16, 1924, about eight o'clock in the evening, when he and his wife were proceeding on horseback from the village of Guanaceví to their home in the neighborhood, they were stopped by a