

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

Ruth M. Raeburn (Great Britain) v. United Mexican States

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RUTH M. RAEBURN (GREAT BRITAIN) *v.* UNITED MEXICAN STATES

(*Decision No. 38, May 13, 1931, dissenting opinion by British Commissioner, May 13, 1931. Pages 54-61.*)

CLAIM IN REPRESENTATIVE CAPACITY. Claim presented by an executor of a will probated in Scotland, said will having been executed in Mexico by a British subject domiciled there, *disallowed* for failure of the will to comply with the formalities of Mexican law.

Comments: G. Godfrey Phillips, "The Anglo-Mexican Special Claims Commission", *Law Q. Rev.*, Vol. 49, 1933, p. 226 at 232.

(*Text of decision omitted.*)

W. ALLAN ODELL (GREAT BRITAIN) *v.* UNITED MEXICAN STATES

(*Decision No. 39, May 13, 1931. Pages 61-64.*)

EVIDENCE BEFORE INTERNATIONAL TRIBUNALS.—NECESSITY OF CORROBORATING EVIDENCE. Unsupported allegations of claimant as to circumstances of damage held insufficient evidence.

Cross-reference: Annual Digest, 1931-1932, p. 423.

1. The Memorial sets out that on the 21st March, 1911, Mr. W. Allan Odell was appointed locomotive engineer on the Interoceanic Railroad of Mexico, and was stationed at Puebla in the State of Puebla. On the 6th May, 1911, he was detailed in the regular manner to take a military train to the city of Atlixco, some 47 kilometres distant. This military train carried horses, mules, attire, ammunition and soldiers at the command of Colonel, afterwards General, Blanquet. Mr. Odell objected to taking this train, but was persuaded to go on the grounds that the city of Atlixco was without protection from revolutionaries. When the train reached the switchstand at San Agustín, kilometre 39.2, the train left the rails. The switch at this point had been secretly spiked and tampered with by Maderistas, who were against the Government. Mr. Odell was thrown out of the engine and very seriously injured, and his fireman was killed. The injuries which Mr. Odell suffered are fully described in his affidavit (Document C) and the Annexes to it. With the help of a crutch Mr. Odell was able to get back to work in January 1912, but he was making little progress towards recovery, and, finally, on the 23rd July, 1912, he left Mexico for Canada. Since the time of his injuries Mr. Odell has suffered considerably, and on the 6th May, 1923, he was taken seriously ill. The doctors attending Mr. Odell unanimously are of the opinion that Mr. Odell's illness is the direct result of the injuries which he received in 1911. Mr. Odell is now in such a state of ill-health that it is extremely unlikely that he will recover sufficiently to work again.