

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

Rosa E. King (Great Britain) v. United Mexican States

9 June 1931

VOLUME V p. 201



NATIONS UNIES - UNITED NATIONS
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ROSA E. KING (GREAT BRITAIN) *v.* UNITED MEXICAN STATES

(Decision No. 58, June 9, 1931. Pages 157-159.)

DIRECT SETTLEMENT OF CLAIM BETWEEN AGENTS. Claim for taking and destruction of property by various forces settled by direct agreement between Agents, approved by the tribunal.

(Text of decision omitted.)

GEORGE HENRY CLAPHAM (GREAT BRITAIN) *v.* UNITED MEXICAN STATES

(Decision No. 59, June 9, 1931. Pages 159-163.)

AFFIDAVITS AS EVIDENCE. Affidavit sworn by eye-witnesses within two years after events considered as more reliable than declarations of witnesses heard more than sixteen years later.

DAMAGES, MEASURE OF. Claimant was a mining engineer permanently incapacitated as a result of foot injury due to act of forces. *Held*, award will be granted in such an amount as will purchase a life annuity commensurate with claimant's station in life.

Cross-reference: Annual Digest, 1931-1932, p. 225.

Comments: G. Godfrey Phillips, "The Anglo-Mexican Special Claims Commission", Law Q. Rev., Vol. 49, 1933, p. 226 at 238.

1. The Memorial relates that Mr. Clapham was employed as the Chief Engineer of the Mazapil Copper Company, Limited, and in May 1913 he was residing at their Smelter at Concepción del Oro, Zacatecas, Mexico. On the 20th May, 1913, some seven hundred revolutionaries, under the command of Eulalio Gutierrez and Pancho Coss, attacked Concepción del Oro. During the attack some rifle shots were fired at the revolutionaries from a place unknown, killing or wounding several of them. The revolutionaries suspected that the shots came from the Mazapil Copper Company's works and a party of them forced their way into the Smelter. They were preparing to blow up the buildings when Mr. Clapham took them into the garden of the works, where there was a full view of the roofs, to demonstrate to them that there was no one there. They were satisfied, and Mr. Clapham returned to his house to speak with several of the Company's employees. While speaking, another batch of revolutionaries rushed in and, without warning, opened fire on the group. Mr. Harold Bainbridge was shot through the hands. Mr. Clapham, after pushing his wife and child into the house, turned to close the door when a man entered and shot him through the thigh. As a result of damage to the main artery of the leg his foot had to be amputated, and he was for two years unfit to work. On several occasions since that time his leg has caused him considerable trouble and has necessitated prolonged medical treatment. As a result of the loss of his foot, which does not allow him to make inspections underground or in other difficult places, Mr. Clapham has found difficulty in