

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

Carlos L. Oldenbourg (Great Britain) v. United Mexican States

23 June 1931

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It seems just and equitable, therefore, that an award be granted him, that will set off, by means of an annuity, the lifelong injury which was the result of the wound.

The Commission have found no guidance in any law or decree for the determination of the annuity, the less so as in nearly all other cases the annuity begins very soon after the accident, whereas in this case sixteen years and probably more will have elapsed before any payment can follow.

The Commission, also taking into account the station in life of the claimant, think an annuity of \$2,000 pesos Mexican gold fair and reasonable, and as, in order to purchase such annuity a man of the age of Mr. Clapham will have to pay about \$20,000 pesos Mexican gold, they fix the award at that figure.

7. The Commission have found no outside evidence of the other losses which the Memorial alleges were sustained by the claimant.

8. The Commission decide that the Government of the United Mexican States shall pay to the British Government, on behalf of Mr. George Henry Clapham, the sum of twenty thousand (\$20,000) pesos Mexican gold.

CARLOS L. OLDENBOURG (GREAT BRITAIN) *v.* UNITED MEXICAN STATES

(Decision No. 60, June 23, 1931. Pages 163-165. See also decision No. 11.)

PARTNERSHIP CLAIM. Demurrer to claim of a Mexican partnership *sustained* when it appeared that less than half of capital was held exclusively by British nationals.

(Text of decision omitted.)

EDITH HENRY (GREAT BRITAIN) *v.* UNITED MEXICAN STATES

(Decision No. 61, June 23, 1931. Pages 165-169.)

PROCEDURE. MOTION TO DISMISS. The tribunal will not, on a motion to dismiss, determine the status under the *compromis* of revolutionary forces at times not material to the claim.

1. This is a claim for compensation for the murder of the claimant's husband, Mr. Francis Colin Henry, and for loss of personal property at the hands of a band of Zapatistas at Zacualpam on the 3rd January, 1916.

According to the Memorial Mr. F. C. Henry, a British subject, was employed as superintendent of the mine San Miguel Tlaxpampa, and resided at Zacualpam, in the State of Mexico. On the 2nd January, 1916, a force of Constitutionalist soldiers, stationed at Zacualpam, left without warning, and the inhabitants were without protection from the bandits and revolutionaries which were in the neighbourhood. In the afternoon of the 3rd January some 150 men, under the command of Molina, Mora and Pantalón, and some men of the Salgado group under Castrejón, entered the town. It is understood that these