

OPINIONS IN FRENCH-VENEZUELAN COMMISSION OF 1902 ²

LEDUC, ST. IVES, FISCHER & CO. CASE

PAÛL, *Commissioner* (for the Commission):

This claim arose out of a debt by the Government of Venezuela in favor of Mr. Domingo R. Wetto, a tailor domiciled in Caracas, for the price of uniforms for the national army, which debt was assigned by said Mr. Wetto on September 6, 1901, to the firm of Leduc, St. Ives, Fischer & Co., as appears by a document authenticated by the parochial court of this city on the 23rd of said month and year.

¹ By the protocol the Marquis del Muni, ambassador extraordinary and plenipotentiary of Spain to France, was appointed, but, he declining, Hon. Frank Plumley was finally selected.

² The opinions rendered by this Commission in the six following cases are published in Ralston's Report, *Venezuelan Arbitrations of 1903* (pp. 497-509), as well as in Ralston's *Report of French-Venezuelan Mixed Claims Commission of 1902* (Appendix, pp. 454-464): Leduc, St. Ives, Fischer & Co. Case, Rogé Case, Decauville Company Case, Lalanne and Ledour Case, Ballistini Case, Piton Case. These six opinions are reproduced from the former source.

The orders of payments drawn by the minister of war and marine in favor of Wetto are dated August 1, September 12 and 14, and October 19, 1899.

As appears from the dates of these orders, they are all subsequent to May 23, 1899, and consequently the examination of this claim does not belong to this Commission, in conformity with article II of the protocol of Paris, which determines its jurisdiction, wherefore the Venezuelan arbitrator is of opinion that the Commission should declare itself without jurisdiction to examine it.

(This opinion was concurred in by the French Arbitrator.)
