

JOSEPH E. DAVIES (U.S.A.) *v.* UNITED MEXICAN STATES.

*(March 2, 1926. Pages 13-14.)*

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This case is before this Commission on the Mexican Agent's motion to dismiss.

1. The motion rests on the assertion that claims based on an alleged nonperformance of contractual obligations are outside the jurisdiction of this Commission.

2. Although the allegation of nonperformance of contractual obligations is apparent on the face of the record, it does not necessarily follow as a legal conclusion that the claim does not fall within the General Claims Convention.

3. The Commission therefore overrules the motion without prejudice. The running of time for filing the Answer has been suspended from January 27, 1926, to March 2, 1926

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