

ALFRED F. HENRY (GREAT BRITAIN) *v.* UNITED MEXICAN
STATES

(Decision No. 56, June 9, 1931. Pages 153-154.)

1. In this case the claim is made on behalf of Mr. Alfred F. Henry. The claimant sets out in the Memorial that he was employed as Civil Engineer to the Huasteca Petroleum Company at Tampico, and in 1913-1914 was engaged

in the erection of tanks, distillate plant, etc., at Tampico. In April 1914 the town of Tampico was occupied by rebel troops, and Mr. Henry was forced to leave hurriedly. He left Tampico as a refugee on board the Company's yacht, the *S.T. Wakiva*, and arrived at Aransas Pass, Texas, with just his working clothes, having been given enough money by the Vice-President of the Company to get to that town. As there was no likelihood of his returning to Mexico for some time, he was paid off by the Company and proceeded to his native town, Glasgow. In August 1914 the claimant returned to New York, with a view to attempting to trace his effects through the New York Agents of the Company. He was informed by the Vice-President of the Company that all trace of his personal effects and papers had been lost. Mr. Henry then returned to Glasgow to join His Majesty's forces in the Great War.

The amount of the claim is 2,500 pesos, details of which are given in the statement of claim attached to Mr. Henry's affidavit.

2. There was no oral hearing of this case, the respective parties putting forth their contentions in written briefs.

3. The Agent for Mexico contended that Mr. Henry left Tampico of his own will and that the proofs presented with his Contestation filed as Annexes thereto showed that he was not forced by the Government to leave Tampico. Further, that the American employees who left Tampico aboard the yacht *Wakiva*, following instructions from the American Consul, were not molested either by revolutionary forces or by Government forces, landing in safety.

4. The British Agent in his Brief stated that he relied upon the facts alleged in the claimant's Memorial and Annexes thereto. It was, in his submission, a matter of common notoriety that the rebels referred to in the Memorial, who occupied the town of Tampico in April 1914, were Constitutionalists, and therefore Mexico was responsible for their acts.

5. The Commission, whilst accepting that Tampico was occupied by Constitutional revolutionary forces in April 1914, and that the claimant left Tampico at the time of their occupation, do not find that there is any evidence of acts compelling him to leave Tampico hurriedly and abandon his property therein. Nor even, if the circumstances warranted him so leaving, that there is any proof that his property was taken by revolutionary forces.

6. The claim is dismissed.
