

*The United States of America*

— versus —

*The Republic of Peru.*

*Sandreau Claim*

*Award*

— of —

*The International Arbitral  
Commission* —

*October 26<sup>th</sup> 1922.*



# Award

*The United States of America*

*versus*

*The Republic of Peru.*

## Landrean Claim

Whereas by a Protocol signed and sealed in Lima, Peru, the twenty first day of May, one thousand nine hundred and twenty one, and made between the Governments of the United States of America and the Republic of Peru, it was recited that the said Governments, not having been able to reach an agreement concerning the claim against Peru of the heirs and assigns of the American citizen John Célestin Landrean arising out of a Decree of October twenty fourth one thousand eight hundred and sixty five of the Government of Peru providing for the payment afterwards to John Théophile Landrean, brother of John Célestin Landrean, for the discovery of guano deposits, and out of contracts of John Théophile Landrean and John Célestin Landrean, entered into on or about April Sixth one thousand eight hundred and fifty nine and October twenty ninth one thousand eight hundred and seventy five, which claim was supported by the Government of the United States, had resolved to submit the questions for decision to an International Arbitral Commission, and to that end had named their respective Plenipotentiaries, that is to say, the President of the United States, William E. Gonzales, Ambassador of the United States at Lima, and the President of Peru, Dr. Alberto Salomón, Minister of Foreign Relations, who, after having exchanged their full powers found to be in due order and proper form, had agreed upon the thirteen Articles set out in the said Protocol after the said recital.

And whereas by Article II of the said Protocol it was provided that the Commission should be composed of three members as follows: one to be appointed by the Government of the United States; one to be appointed by the Government of Peru; and



the third who should act as President of the Commission and should be a national of either Denmark, Great Britain or the Netherlands, to be selected by the two Governments aforesaid.

And whereas in pursuance of the said Article II, Barton Smith, Esquire, was duly appointed by the Government of the United States, and Carlos A. Revost, Esquire, was duly appointed by the Government of Peru, and The Right Honourable Viscount Finlay, G. C. M. G., a national of Great Britain, residing in London, was duly appointed to be President of the Commission by the two said Governments.

And whereas by Article IV thereof, it was provided that the Commission should meet at the residence place of the President of the Commission within sixty days after the case should be ready for consideration according to the second paragraph of Article X of the said Protocol and should hold all its sessions in the same place.

And whereas by an Agreement made between the Government of the United States and the Republic of Peru dated August fourth one thousand nine hundred and twenty two, it was agreed between the said Governments that the said Article IV should be modified so as to provide that the Commission should meet in first session at London on such day and date between the second and tenth, both included, days of October one thousand nine hundred and twenty two, as the President of the Commission should determine.

And whereas the Commission thereafter met as so appointed and sat in London and heard the arguments of the Agents for the said Governments duly appointed under the said Protocol on the second, third, fourth, fifth, sixth, ninth, tenth and eleventh days of October one thousand nine hundred and twenty two.

And whereas by Article I of the said Protocol, the questions to be determined by the Commission are: first, whether the release granted the Peruvian Government in 1892 by John Théophile Landreau eliminated any claim which John Célestin Landreau, the American citizen, may have had against the Peruvian Government: and if all claims were not thereby extinguished: then, second, what sum, if any, is equitably due to the heirs or assigns of John Célestin Landreau.



Now therefore this Commission, having carefully considered the arguments of the Agents and Counsel for the said parties, and the printed cases and documents presented by either side, after due deliberation, Finds and Awards That the release granted the Peruvian Government in 1892 by John Theophile Landreau did not eliminate any claim which John Celestin Landreau, the American citizen, may have had against the Peruvian Government, and no claims were thereby extinguished, And Further Finds and Awards That there is equitably due the heirs or assigns of John Celestin Landreau the sum of one hundred and twenty five thousand Dollars of the United States of America in gold coin thereof.

Done at London, in triplicate original, the twenty sixth day of October, One thousand nine hundred and twenty two:

Finlay President.

Baron Smith Commissioner.

Catross Commissioner.