

BEFORE THE INDIAN CLAIMS COMMISSION

THE POTTAWATOMIE TRIBE OF INDIANS, THE PRAIRIE)	
BAND OF THE POTTAWATOMIE TRIBE OF INDIANS,	)	Docket No. 15-D
and WILLIAM EVANS, ELLEN NOGAHNKOUK VIEUX,)	
and LISA (NAGONBA) CLAYBEAR, as individuals-)	
plaintiff,)	
)	
Plaintiffs,)	
)	
THE POTTAWATOMIE NATION OF INDIANS, THE PRAIRIE)	
BAND OF THE POTTAWATOMIE NATION OF INDIANS,	)	Docket Nos. 15-P
and WILLIAM EVANS, ELLEN NOGAHNKOUK VIEUX, and	)	and 15-Q
LISA (NAGONBA) CLAYBEAR, as individuals-)	
plaintiff,)	
)	
Plaintiffs,)	
)	
HANNAHVILLE INDIAN COMMUNITY, WILSON, MICHIGAN;)	
FOREST COUNTY POTAWATOMI COMMUNITY, CRANDON,	)	Docket Nos. 29-B,
WISCONSIN; POTAWATOMI TRIBE OR NATION OF	)	29-N, and 29-O
INDIANS; FRANK WANDAHSEGO, SR., ELIJAH)	
PETONQUOT, IKE GEORGE and VALENTINE RITCHIE,)	
)	
Plaintiffs,)	
)	
THE PEORIA TRIBE OF INDIANS OF OKLAHOMA and)	
MABEL STATON PARKER on behalf of THE	)	Docket No. 99
PIANKESHAW NATION)	
)	
IRA SYLVESTER GODFROY, WILLIAM ALLOLA GODFROY,)	
JOHN A. OWENS, on relation of THE MIAMI INDIAN)	
TRIBE and MIAMI TRIBE OF INDIANA and each on	)	Docket No. 124-H
behalf of others similarly situated and on)	
behalf of the MIAMI INDIAN TRIBE and various)	
bands and groups of them comprising the MIAMI)	
TRIBE AND NATION,)	
)	
Plaintiffs,)	
)	
THE MIAMI TRIBE OF OKLAHOMA, also known as THE)	
MIAMI TRIBE, and HARLEY T. PALMER, FRANK C.	)	Docket No. 254
POOLER and DAVID LEONARD, as representatives)	
of the MIAMI TRIBE and of all the members)	
thereof,)	
)	
Plaintiffs,)	

CITIZEN BAND OF POTAWATOMI INDIANS OF OKLAHOMA,	)	Docket Nos. 306,
and POTAWATOMI NATION, represented by CITIZEN	)	309, and 311
BAND OF POTAWATOMI INDIANS OF OKLAHOMA, and)	
by DAN NADEAU, MAY FAIRCHILD and A. B. PECORE,)	
members of such Band and such Nation, and)	
DAN NADEAU, MAY FAIRCHILD and A. B. PECORE,)	
on the relation of POTAWATOMI NATION,)	
)	
Plaintiffs,)	
)	
THE PEORIA TRIBE OF INDIANS OF OKLAHOMA, GUY)	
FROMAN on behalf of the PEORIA NATION, and	)	Docket No. 313
FRED ENSWORTH on behalf of the KASKASKIA)	
NATION,)	
)	
Plaintiffs,)	
)	
THE PEORIA TRIBE OF INDIANS OF OKLAHOMA and)	
AMOS ROBINSON SKYE on behalf of the WEA	)	Docket No. 314-A
NATION,)	
)	
Plaintiffs,)	
)	
THE KICKAPOO TRIBE OF KANSAS, THE KICKAPOO)	
TRIBE OF OKLAHOMA, THE KICKAPOO NATION,	)	Docket No. 315
ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER

Upon the Findings of Fact, Conclusions of Law, Opinion and Appendices, this day entered herein, and which hereby are made a part of this order,

IT IS ORDERED that:

1. The claims herein, of the Peoria and Miami plaintiffs in Docket Nos. 99, 124-H and 254, be, and the same hereby are, dismissed.

2. The claims of the individual plaintiffs in the remaining dockets herein be, and the same hereby are, denied, and dismissed.

3. The claims of the Peoria Tribe of Indians of Oklahoma, plaintiff in Docket No. 313, on behalf of the Kaskaskia tribe or nation, be, and the same hereby are granted to the extent that we have found that under the Treaty of August 13, 1803, the Kaskaskia tribe or nation ceded to the United States all of its interests in the lands involved in this proceeding, viz.:

(a) exclusive recognized title to the portion of Royce Area 48 designated as tract A on Map Appendix I hereto, and

(b) a recognized undivided one-half interest in the portion of Royce Area 48 designated as tract A' on Map Appendix I.

(Said interests were subject to all exclusions, reservations and prior cessions, specifically, Item (15) ceded under Article III of the Treaty of Greeneville of August 3, 1795; the post of Fort Massac (Royce Area 27) excepted under Article IV of said treaty; Royce Area 47 ceded by the Kaskaskia and other tribes under the Treaty of Fort Wayne of June 7, 1803 (7 Stat. 74); and the 350 acre tract at Kaskaskia reserved under Article 1 of the Kaskaskia treaty of August 13, 1803.)

4. The claims of the Peoria Tribe of Indians of Oklahoma, plaintiff in Docket No. 313, to Royce Areas 48 and 96a, on behalf of the Peoria Nation, be, and the same hereby are, denied, and dismissed.

5. The claims of the Peoria Tribe of Indians of Oklahoma, plaintiff in Docket No. 314-A, on behalf of the Wea Nation, be, and the same hereby are granted to the extent that we have found that under the Treaty of October 2, 1818, the Wea Nation ceded to the United States all of its interests in the lands involved in this proceeding, viz.:

(a) a recognized undivided one-third interest in the western portion of Royce Area 98 designated as tract G on Map Appendix I;

(b) a recognized undivided one-half interest in the eastern portion of Royce Area 98 designated as tract I on Map Appendix I (except for Item (7) ceded under Article III of the Treaty of Greeneville of August 3, 1795); and

(c) a recognized undivided one-third interest in the portion of Royce Area 180 designated as tract H on Map Appendix II.

6. The claims of the Kickapoo Tribe of Kansas, and the Kickapoo Tribe of Oklahoma, plaintiffs in Docket No. 315, on behalf of the Kickapoo Nation, be, and the same hereby are granted to the extent that we have found that under the treaties of July 30 and August 30, 1819, the Kickapoo Nation ceded to the United States all of its interests in the lands involved in this proceeding, viz.:

(a) exclusive recognized title to the portion of Royce Area 110 designated as tracts B and C on Map Appendix I;

(b) a recognized undivided one-half interest in the portions of Royce Area 110 designated as tracts A', D and E on Map Appendix I;

(c) a recognized undivided one-third interest in the portion of Royce Area 110 designated as tract G on Map Appendix I; and

(d) a recognized undivided one-third interest in the portion of Royce Area 110 designated as tract H on Map Appendix II.

(Said interests were subject to prior cessions, specifically Items (15) and (16) ceded under Article III of the Treaty of Greeneville of August 3, 1795.)

7. The claims of the Potawatomi plaintiffs in Docket Nos. 15-D, 29-B, and 311 (see Finding 26), on behalf of the Potawatomi tribe or nation, be, and the same hereby are granted, to the extent that we have found that under the Treaty of October 2, 1818, the Potawatomi tribe or nation ceded to the United States all of its interest in Royce Area 98, viz.:

(a) a recognized undivided one-third interest in the portion of Royce Area 98 designated as tract G on Map Appendix I, and

(b) a recognized undivided one-half interest in the portion of Royce Area 98, designated as tract I on Map Appendix I. (Said interest was subject to the right of the United States to establish a military post at the old Wea towns).

8. The claims of the Potawatomi plaintiffs in Docket Nos. 15-P, 29-N, and 306 (see Finding 30), on behalf of the Potawatomi tribe or nation, be, and the same hereby are granted, to the extent that we have found that under the Treaty of October 20, 1832, the Potawatomi tribe or nation ceded to the United States all of its interest in Royce Area 177 (subject to the reserves within Royce Area 177 provided for by Article II of that treaty), viz.:

(a) exclusive recognized title to the portion of Royce Area 177 designated as tract F on Map Appendix I, and

(b) a recognized undivided one-half interest in the portions of Royce Area 177 designated as tracts D and E on Map Appendix I.

9. The claims of the Potawatomi plaintiffs in Docket Nos. 15-Q, 29-O, and 309 (see Finding 34), on behalf of the Potawatomi tribe or nation, be, and the same hereby are granted, to the extent that we have found that under the Treaty of October 26, 1832, the Potawatomi Tribe ceded to the United States all of its interest in the portion of Royce Area 180 designated as tract H on Map Appendices I and II (subject to the reservation provisions of Article II of that treaty), viz., a recognized undivided one-third interest.

10. The July 15, 1965, petition of intervention of the Potawatomi Indians of Indiana and Michigan, Incorporated, be, and the same hereby is, granted as to Docket Nos. 15-D, 15-P, 15-Q, 29-B, 29-N, 29-O, 306, 309, and 311.

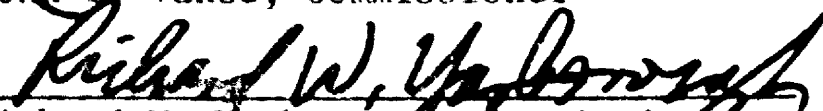
11. The August 23, 1972, conditional motion of the Peoria plaintiffs in Docket Nos. 313 and 314-A, for severance and for other relief, be, and the same hereby is denied.

12. These cases will now proceed to a determination of the acreages of the lands awarded to the respective plaintiffs (less any reservations), fair market values, the consideration paid to the plaintiffs for their interests in the respective lands, and all other matters bearing on the defendant's liability.


Dated at Washington, D. C., this 4th day of April, 1973.



 John T. Vance, Commissioner



 Richard W. Yarborough, Commissioner



 Margaret H. Pierce, Commissioner