

BEFORE THE INDIAN CLAIMS COMMISSION

OTTAWA-CHIPPEWA TRIBE OF)	
MICHIGAN,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 364
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

FINAL AWARD

Upon the Findings of Fact 1 through 9 entered herein on May 9, 1973 (30 Ind. Cl. Comm. 288), upon the Opinion and Order entered herein on February 14, 1974 (33 Ind. Cl. Comm. 142, 149), on the Opinion and Order entered herein on January 27, 1975 (35 Ind. Cl. Comm. 385, 417), and upon the Opinion and Findings of Fact 10 through 46 this date entered, the Commission concludes as follows:

1. The plaintiff is entitled to maintain the present action.
2. The Indian Claims Commission has jurisdiction over the parties and the subject matter of said action.
3. The plaintiff's fourth claim must be dismissed for lack of evidence in support thereof.
4. The defendant has rendered a proper account showing due performance of its obligations under Article 1, last clause, and Article 2, first, second, third, and fifth clauses of the treaty of July 31, 1855, 11 Stat. 621.
5. The defendant owes plaintiff \$3,822.18 principal and \$14,250.56 interest accrued to January 1, 1977, under Article 2, fourth clause, of said treaty, plus additional interest from said date on said principal sum at the rate of 5 percent per year until paid.
6. The defendant owes plaintiff \$7,160.37 on account of trust funds beneficially owned by plaintiff.

IT IS THEREFORE ORDERED:

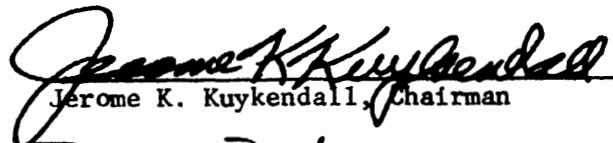
A. That plaintiff's fourth claim be, and it hereby is, dismissed.

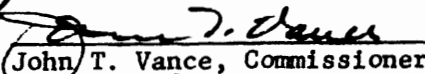
B. That defendant's accounting under Article 1, last clause, and Article 2, first, second, third, and fifth clauses, of the treaty of July 31, 1855, 11 Stat. 621, be, and it hereby is, allowed and approved and settled.

C. That plaintiff have and recover from the defendant the sum of \$25,233.11 plus an additional sum measured by interest at 5 percent per annum from and including January 1, 1977, until paid, on the principal sum of \$3,822.18, and that upon payment of said sums, defendant's accounting under the fourth clause of said treaty, and for trust funds held in its treasury for benefit of plaintiff will stand settled.

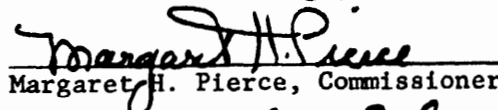
D. That plaintiff's motion for reconsideration of the summary judgment heretofore entered on January 27, 1975, be, and it hereby is, denied.

Dated at Washington, D. C., this 1st day of April 1977


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner