

BEFORE THE INDIAN CLAIMS COMMISSION

THE LOWER SIOUX INDIAN COMMUNITY)	
IN MINNESOTA, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Docket No. 363, Second Claim
)	(1867 Treaty and 1872 Agreement)
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER APPROVING COMPROMISE SETTLEMENT

UPON JOINT MOTION FOR APPROVAL OF SETTLEMENT AND FOR ENTRY OF JUDGMENT filed by the parties herein on September 8, 1977, pursuant to a stipulation for settlement and for entry of judgment, the Commission proceeded to hearing, and having considered the evidence presented, both oral and documentary, has entered Findings of Fact on Compromise Settlement numbered 15 through 30. Upon said findings and upon the whole record the Commission concludes as a matter of law that the proposed settlement is equitable and just to both parties and should be approved, and that the necessary orders to effectuate the said settlement should be made.

IT IS THEREFORE ORDERED THAT:

1. The aforesaid compromise settlement is approved.
2. Upon dismissal of Appeal No. 2-76 in the Court of Claims and a showing of such dismissal made to the Indian Claims Commission, a final award in the amount of \$13,129,661 shall be entered herein in favor of the Sisseton-Wahpeton Bands who entered into the agreement of September 20, 1872, as modified and accepted by the United States and the Bands.
3. If, but only if, the Court of Claims affirms without qualification the decision of this Commission on the cross-appeal of the United States in Prairie Band of Pottawatomie, et al. v. United States, Appeal No. 6-76, an additional final award in favor of said plaintiffs shall be entered herein in the amount of \$255,273.

4. Defendant's claims for gratuitous offsets are reserved from this settlement for further proceedings in the accounting phase of this case.

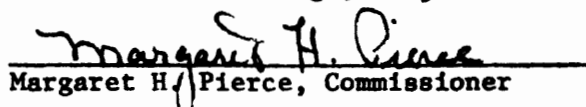
5. The entry of judgment for \$13,129,661 shall finally dispose of all rights, claims, and demands which either party has asserted or could have asserted in this Docket 363 except the plaintiff's claims for an accounting for money and for the misuse or mismanagement of money, the plaintiffs' claim for an additional \$255,273 dependent upon the outcome of the cross-appeal in Appeal No. 6-76, and the defendant's claim for gratuitous offsets.

Dated at Washington, D. C., this 8th day of September 1977.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner