

## 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.	)	

FINAL AWARD

Upon joint motion of the parties for entry of final judgment herein pursuant to a stipulation for settlement in which certain claims were reserved for future disposition, the Commission held a hearing on the matter on September 8, 1977, and on the same date entered findings of fact numbered 15 through 30 and entered an order approving compromise settlement, which findings and order are hereby adopted and made a part of this final award as if fully set out herein.

Said order provided, among other things, that upon dismissal of Appeal No. 2-76 by the Court of Claims, a final award in the amount of \$13,129,661 should be entered by the Indian Claims Commission 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, and that if, but only if the Court of Claims should affirm without qualification the decision of this Commission on the cross-appeal of the United States in Prairie Band of Pottawatomí, et al. v. United States, Appeal No. 6-76, an additional final award in favor of said plaintiffs should be entered in the amount of \$255,273.

The Court of Claims now has dismissed Appeal No. 2-76 and remanded the matter to the Indian Claims Commission.

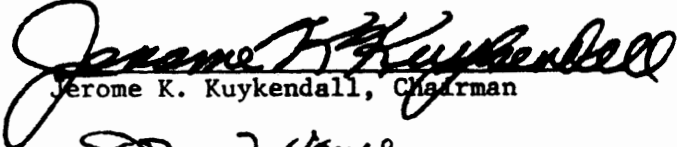
The Commission therefore determines that there is no just reason for delay and directs entry of judgment in this Docket 363 as hereinafter set forth, pursuant to Rule 54(b) F. R. Civ. P., relating to multiple claims in a single action.

IT IS THEREFORE ORDERED that the plaintiffs shall have and recover from the defendant on behalf 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 the sum of thirteen million one hundred twenty-nine thousand six hundred and sixty-one dollars (\$13,129,661), upon the terms and provisions of the aforesaid order approving compromise settlement dated September 8, 1977.


IT IS FURTHER ORDERED that this final award shall finally dispose of all rights, claims and demands which either party has asserted or could have asserted in Docket 363 except the plaintiffs' 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 14th day of September 1977.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner