

BEFORE THE INDIAN CLAIMS COMMISSION

THE STOCKBRIDGE MUNSEE COMMUNITY,
THE STOCKBRIDGE TRIBE OF INDIANS
AND THE MUNSEE TRIBE OF INDIANS
BY ARVID E. MILLER AND FRED L.
ROBINSON,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Docket No. 300-A

INTERLOCUTORY ORDER

UPON THE additional findings of fact numbered 8 through 20, conclusions of law and the opinion this day entered in this docket, which are hereby made a part of this order, this Commission concludes as a matter of law that:

1. The United States is chargeable with constructive knowledge of each of the fifteen treaties entered into between 1818 and 1847, by the Stockbridge Indians and the State of New York.

2. The defendant will be liable under the Indian Claims Commission Act and the Trade and Intercourse Act if the Stockbridge Indians did not receive conscionable consideration under any of said fifteen treaties for their lands ceded to New York State.

IT IS THEREFORE ORDERED that this docket proceed to a determination of value and consideration with respect to each of said fifteen treaties, and

IT IS FURTHER ORDERED that plaintiffs' motion for oral argument, filed on January 20, 1975, be, and the same hereby is, denied, and

IT IS FINALLY ORDERED that the Commission's opinion, findings of fact and order entered in this docket on April 28, 1971, 25 Ind. Cl. Comm. 281,

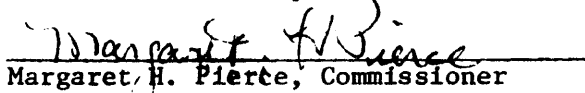
to the extent of any inconsistency with this order and the findings of fact, conclusions of law, and opinion which are a part of this order, be, and the same hereby are, superseded.

Dated at Washington, D. C., this 24th day of February 1978.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierte, Commissioner


Brantley Blue, Commissioner