

BEFORE THE INDIAN CLAIMS COMMISSION

THE SIOUX TRIBE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Docket No. 74
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER GRANTING PLAINTIFFS' MOTION

UPON CONSIDERATION of the plaintiffs' motion requesting "an order that no offsets, either payments on the claim or gratuities be deducted" from the award in this case, filed August 19, 1976; defendant's reply thereto filed August 30, 1976; defendant's motion for the admission of evidence filed November 26, 1976; the oral arguments held before the Commission on October 12, 1976, and January 14, 1977, and for the reasons set forth in the opinion accompanying this order; the Commission concludes as a matter of law that

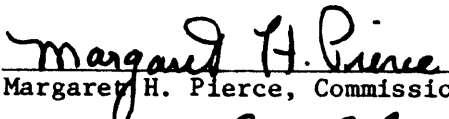
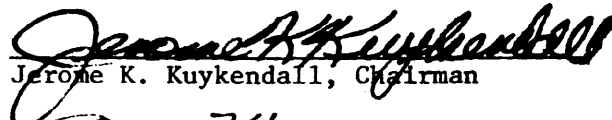
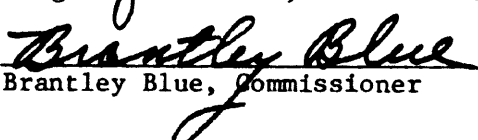
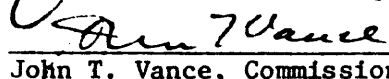
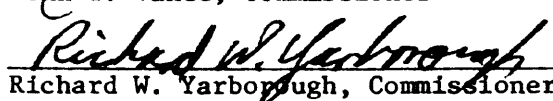
1- the defendant may not offset any part of the cost of the goods and services it promised the Sioux under the 1868 treaty as payments on plaintiffs' claim in this docket, and

2- the course of dealings between the United States and the Sioux was such that the Commission cannot in good conscience offset any gratuitous expenditures by the United States against plaintiffs' award in this docket.

IT IS THEREFORE ORDERED that plaintiffs' motion of August 19, 1976, be, and the same hereby is, granted.

IT IS FURTHER ORDERED that no offsets, either payments on the claim or gratuitous, shall be deducted from the award in this case.

Dated at Washington, D. C., this 19th day of July 1978

	
Margaret H. Pierce, Commissioner	Jerome K. Kuykendall, Chairman
	
Brantley Blue, Commissioner	John T. Vance, Commissioner
	
	Richard W. Yarborough, Commissioner