

BEFORE THE INDIAN CLAIMS COMMISSION

JAMES STRONG, et al., as the)	
representatives and on behalf)	
of all members by blood of the)	
CHIPPEWA TRIBE OF INDIANS,)	Docket No. 13-E
)	
THE DELAWARE TRIBE OF INDIANS,)	Docket No. 27-E
)	
HANNAHVILLE INDIAN COMMUNITY, et al.,)	Docket No. 29-D
)	
THE OTTAWA TRIBE, and GUY JENNISON,)	Docket Nos. 133-A
et al., as representatives of)	and 302
THE OTTAWA TRIBE,)	
)	
LAWRENCE ZANE, et al., ex rel.,)	Docket No. 139
WYANDOT TRIBE, et al.,)	
)	
ABSENTEE DELAWARE TRIBE OF OKLAHOMA,)	Docket No. 202
DELAWARE NATION, ex rel., W. E.)	
EXENDINE and MYRTLE HOLDER,)	
)	
Plaintiffs,)	
)	
CITIZEN BAND OF POTAWATOMI INDIANS)	
OF OKLAHOMA,)	
)	
PRAIRIE BAND OF POTTAWATOMIE)	
INDIANS, et al.,)	
)	
POTAWATOMI INDIANS OF INDIANA and)	
MICHIGAN, INC.,)	
)	
Intervenors in Docket No. 29-D,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

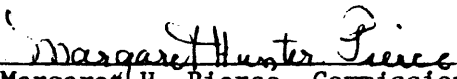
UPON THE findings of fact numbered 9 through 21 and the opinion this date entered herein, both of which are hereby made part of this order, the Commission concludes as a matter of law that:

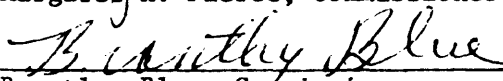
1. The fair market value on July 4, 1805, of Royce Areas 53 and 54, Ohio, was \$2,848,787.70, or \$1.10 per acre
2. Consideration in the total amount of \$32,666.65 under the Treaty of Fort Industry, July 4, 1805, 7 Stat. 87, was paid to the respective signatory tribes as follows: to the Wyandots, \$8,333.33; to the Delawares, \$8,333.33; to the Chippewas, \$6,133.33; to the Ottawas, \$6,133.33; to the Potawatomes, \$3,733.33.
3. By reason of the disparity between the consideration paid for such lands and the value thereof as determined by the Commission, the consideration so paid and received was unconscionable.
4. The following amounts should be deducted as payments on the claim: the Wyandot plaintiffs, \$8,333.33; the Delaware plaintiffs, \$8,333.33; the Chippewa plaintiffs, \$6,133.33; the Ottawa plaintiffs, \$6,133.33; the Potawatomi plaintiffs and intervenors, \$3,733.33.


IT IS THEREFORE ORDERED that the respective plaintiffs and intervenors herein are entitled to recover from the defendant the following net sums, less such gratuitous offsets as defendant may be entitled under the provisions of the Indian Claims Commission Act: to the Wyandot plaintiffs, \$561,424.21; to the Delaware plaintiffs, \$561,424.21; to the Chippewa plaintiffs, \$563,624.21; to the Ottawa plaintiffs, \$563,624.21; to the Potawatomi plaintiffs and intervenors, \$566,024.21; and

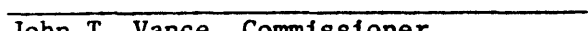
IT IS FURTHER ORDERED that this case proceed to a determination of the amount of any gratuitous offsets allowable.

Dated at Washington, D. C., this 10th day of August 1978.


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner