BEFORE THE INDIAN CLAIMS COMMISSION

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS,) Docket No. 113
RED LAKE BAND, AND PETER GRAVES, et al., ex rel. RED LAKE BAND, PEMBINA BAND, AND KATHERINE CARL BARRETT et al., ex rel. PEMBINA BAND, JOHN B. AZURE, et al., ex rel. CHIEF LITTLE SHELL'S BAND OF PEMBINA CHIPPEWA INDIANS,	Docket No. 246))))))
THE LITTLE SHELL BAND OF CHIPPEWA INDIANS, AND JOSEPH H. DUSSOME, et al., ex rel. said Band,) Docket No. 191)
CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION, MONTANA, AND JOE CORCORAN, ex rel. CHIPPEWA CREE TRIBE OF THE ROCKY BOY'S RESERVATION, BLANCHE PATENAUDE, et al., ex rel. LITTLE SHELL BAND OF INDIANS AND THE CHIPPEWA CREE TRIBE,	Docket No. 221))))))))
Plaintiffs,	ý
v. THE UNITED STATES OF AMERICA,)))
Defendant.)
2020	,

INTERLOCUTORY ORDER

Upon the findings of fact and opinion this day entered herein, which are hereby made a part of this order, the Commission concludes as a matter of law that:

- 1. The total acreage of the lands to be valued in this case is 8,104,040 acres.
- 2. The fair market value of those lands on February 15, 1905, was \$53,527,225.00.

- 3. The total consideration paid for the cession of those lands was \$999,887.03.
- 4. The payment of consideration in the amount of \$999,887.03 for the cession of lands having a fair market value of \$53,527,225.00 was so grossly inadequate as to render that consideration unconscionable within the meaning of Clause 3, Section 2 of the Indian Claims Commission Act, 60 Stat. 1049, 1050.
- 5. The plaintiffs, on behalf of the American Pembina Chippewa groups (full and mixed bloods), including the subgroups of the Turtle Mountain Band, the Pembina Band, and the Little Shell Bands, are entitled to recover the sum of \$52,527,337.97, less such gratuitous offsets as defendant may be entitled under the provisions of the Indian Claims Commission Act.

It is ordered that the case proceed to a determination of the gratuitous offsets, if any, to which defendant may be entitled.

Dated at Washington, D. C., this 20th day of September 1978.

Jerome K. Kuykendall, Chairman

John T. Vance, Commissioner

Richard W. Yarborough, Commissioner

Margaret H. Pierce, Commissioner

Brantley Blue Commissioner