

BEFORE THE INDIAN CLAIMS COMMISSION

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|---------------------------------------|---|------------------|
| JAMES STRONG, et al., as the |) | |
| representatives and on behalf |) | |
| of all members by blood of the |) | |
| CHIPPEWA TRIBE OF INDIANS, |) | Docket No. 13-F |
| |) | |
| THE POTTAWATOMIE TRIBE OF INDIANS, |) | |
| THE PRAIRIE BAND OF THE POTTAWATOMIE |) | |
| TRIBE OF INDIANS, et al., |) | Docket No. 15-I |
| |) | |
| THE DELAWARE TRIBE OF INDIANS, |) | Docket No. 27 |
| |) | |
| HANNAHVILLE INDIAN COMMUNITY, et al., |) | Docket No. 29-G |
| |) | |
| SHAWNEE TRIBE OF INDIANS OF OKLAHOMA, |) | |
| et al., |) | Docket No. 64-A |
| |) | |
| THE OTTAWA TRIBE, and GUY JENNISON, |) | |
| et al., as representatives of THE |) | |
| OTTAWA TRIBE, |) | Docket No. 133-C |
| |) | |
| LAWRENCE ZANE, et al., ex rel., |) | |
| WYANDOT TRIBE, et al., |) | Docket No. 141 |
| |) | |
| CITIZEN BAND OF POTAWATOMI INDIANS OF |) | |
| OKLAHOMA, et al., |) | Docket No. 308 |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| THE UNITED STATES OF AMERICA, |) | |
| |) | |
| Defendant. |) | |

INTERLOCUTORY ORDER

UPON THE findings of fact numbered 9 through 31 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 January 4, 1819, of Royce Areas 87 and 88, was \$5,698,821.60, or \$1.20 per acre.

2. Consideration in the total amount of \$220,000 under the Treaty of September 29, 1817, 7 Stat. 160, and the Treaty of September 17, 1818, 7 Stat. 179, was paid to the respective signatory tribes as follows: to the Wyandots, \$90,000; to the Shawnees, \$50,000; to the Potawatomis, \$19,500; to the Delawares, \$500; to the Chippewas, \$15,000; to the Ottawas, \$45,000.

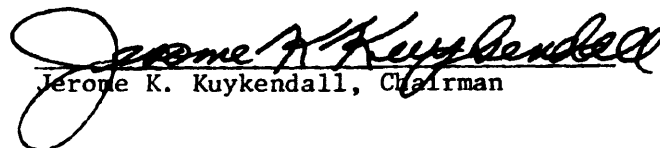
3. By reason of the disparity between the consideration paid for such lands and the value thereof as determined by the Commission, the consideration so paid and received was unconscionable.

4. The following amounts should be deducted as payments on the claim: the Wyandot plaintiffs, \$90,000; the Shawnee plaintiffs, \$50,000; the Potawatomi plaintiffs, \$19,500; the Delaware plaintiffs, \$500; the Chippewa plaintiffs, \$15,000; the Ottawa plaintiffs, \$45,000.

IT IS THEREFORE ORDERED that the respective plaintiffs 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, \$2,348,679.60; to the Ottawa plaintiffs, \$1,692,028.56; to the Delaware plaintiffs, \$487,235.92; to the Shawnee plaintiffs, \$437,735.92; to the Chippewa plaintiffs, \$258,820.80; and to the Potawatomi plaintiffs, \$254,320.80; and

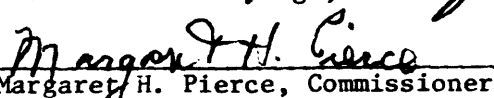
IT IS FURTHER ORDERED that this case proceed to a determination of the amount of any gratuitous offsets allowable.

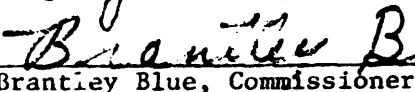
Dated at Washington, D. C., this 22nd day of September 1978.


Jerome K. Kuykendall, Chairman

John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner