

BEFORE THE INDIAN CLAIMS COMMISSION

THE POTTAWATOMI TRIBE OF INDIANS,)
THE PRAIRIE BAND OF THE POTTAWATOMI)
TRIBE OF INDIANS, and WILLIAM EVANS,)
ELLEN NOGAHNKOUK VIEUX, and LISA)
(NAGONBA) CLAYBEAR, as individuals-)
plaintiff,)
Plaintiffs,)

v.)

Docket No. 15-B)

THE UNITED STATES OF AMERICA,)
Defendant.)

and)

CITIZEN BAND OF POTAWATOMI INDIANS)
OF OKLAHOMA,)

and)

POTAWATOMI NATION, represented by)
CITIZEN BAND OF POTAWATOMI INDIANS)
OF OKLAHOMA, and A. B. PECORE,)
members of such Band and such)
Nation,)

and)

DAN NADEAU, MAY FAIRCHILD and)
A. B. PECORE, on the relation of)
POTAWATOMI NATION,)
Petitioners,)

v.)

Docket No. 111)

THE UNITED STATES OF AMERICA,)
Defendant.)

CONCLUSIONS OF LAW AND FINAL AWARD

Upon the Additional Findings of Fact, this day filed herein, the Findings of Fact filed herein on the 23rd day of April, 1954, and the Interlocutory Order made and entered herein on the 23rd day of April, 1954, all of which are hereby made a part hereof, the Commission concludes as a matter of law:

(1) that the second claim, which is designated as the second cause of action in Docket No. 15-B and as the third cause of action in Docket No. 111; the forth cause of action in Docket No. 111, and the

fifth claim for 640 acres of land granted to the two Missions, should be dismissed;

(2) that the Pottawatomie Tribe of Indians is entitled to recover from the defendant the following sums, to-wit:

(a) the sum of \$338,795.22 on the 1st claim, designated as the first cause of action in Docket No. 15-B, and as the second cause of action in Docket No. 111, and,

(b) the sum of \$4,363.95 on the 3rd claim, designated as the first cause of action in Docket No. 111, together with interest on the sum of \$4,363.95 at 5% per annum from July 1, 1862 to November 9, 1934, and 4% per annum thereafter, and,

(c) the sum of \$819.16 on the 4th claim, designated as the third cause of action in Docket 15-B and as the fifth cause of action in Docket 111, and,

(d) the sum of \$1,013.54 on the 6th claim, in payment of additional compensation for 1,013.54 acres of surplus reservation land sold to three individuals under the terms of the 1867 treaty,

or a total sum of \$364,472.15 as of the date of this order, consisting of \$344,991.87 as the total principal of the awards, and \$19,480.28 of interest allowed on \$4,363.95 of the principal to date, less offsets in the sum of \$5,011.55, of which offsets the Prairie Band is chargeable with \$4,146.18 and the Citizen Band is chargeable with \$865.37.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED, by the Commission as follows:

(1) that the second claim, designated as the second cause of action in Docket No. 15-B, and as the third cause of action in Docket No. 111; the fourth cause of action in Docket No. 111; and the fifth claim for 640 acres of land granted to the two Missions, be, and the same are hereby dismissed;

(2) that the Pottawatomie Tribe of Indians have and recover of and from the defendant the sum of \$364,472.15, of which amount the Citizen Band is entitled to receive the sum of \$234,019.73, less \$865.37 offsets, making a net amount of \$233,154.36; and the Prairie Band is entitled to receive the sum of \$130,452.42, less \$4,146.18 offsets, making a net amount \$126,306.24.

Dated at Washington, D. C. this 8th day of August, 1955.

Edgar E. Witt, Chief Commissioner
Louis J. O'Marr, Associate Commissioner
Wm. M. Holt, Associate Commissioner