

BEFORE THE INDIAN CLAIMS COMMISSION

THE COEUR D'ALENE TRIBE
OF INDIANS,

Petitioner,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Docket No. 81

SECOND INTERLOCUTORY ORDER

Upon the additional findings of fact numbered from 12 to 42, this day filed herein and which are hereby made a part of this order, the Commission concludes as a matter of law:

1. That the consideration the defendant paid the petitioner for its lands ceded by the Agreement of March 26, 1887, 26 Stat. 989, 1027, and described in Finding 11 filed on August 26, 1955, was the sum of \$231,884.97;

2. That the Indian title to said lands so ceded passed from petitioner to defendant on March 3, 1891, and that the value of said lands on said last mentioned date was the sum of \$4,659,663.00;

3. That the consideration so paid petitioner by the defendant for such was so grossly inadequate as to make it unconscionable under the Indian Claims Commission Act.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that petitioner have and recover of defendant the sum of \$4,427,778.03, less all offsets, if any, allowable under said act.

IT IS FURTHER ORDERED, that within sixty days from the date of this order the defendant shall amend its answer herein by setting forth the offsets it claims, which offsets shall be itemized, and if based upon a General Accounting Office report, references to the pages of such report where such items appear shall be stated.

Dated at Washington, D. C., this 3d day of December, 1957.

Edgar E. Witt
Chief Commissioner
Louis J. Childers
Associate Commissioner
Wm. M. Holt
Associate Commissioner