

BEFORE THE INDIAN CLAIMS COMMISSION

THE NEZ PERCE TRIBE OF INDIANS,)
 OR CHARLES E. WILLIAMS AND)
 JOSEPH REDTHUNDER, as repre-)
 sentatives of the NEZ PERCE)
 TRIBE OF INDIANS,)
)
 Petitioner,)
)
 v.)
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

Docket No. 175-A

INTERIMINARY ORDER

Upon the findings of fact, numbered 1 to 42, inclusive, which are 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 lands ceded by the petitioner, Nez Perce Tribe of Indians, to the defendant by the Treaty of June 9, 1863, 14 Stat. 646, comprised 6,932,270 acres, and (2) that the consideration the petitioner received for the ceded lands was \$352,394.94; (3) that the value of such lands on April 17, 1867, the date of the ratification of said treaty, was \$4,650,000.00; (4) that by reason of the disparity between the consideration paid for such lands and the value thereof, as above determined, the consideration was unconscionable.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the petitioner have and recover from the defendant the sum of \$4,297,605.06, less such offsets, if any, that may be allowable under the Indian Claims Commission Act.

IT IS FURTHER ORDERED, That within 60 days from the date of this order the defendant shall amend its answer by setting forth any offsets that may be authorized by the Indian Claims Commission Act.

Dated at Washington, D. C., this 31st day of December, 1959.

Edgar E. Watt

 Chief Commissioner

Wm. M. Holt

 Associate Commissioner