

BEFORE THE INDIAN CLAIMS COMMISSION

THE CADDO TRIBE OF OKLAHOMA, ET AL.,)

Plaintiffs,)

v.)

THE UNITED STATES OF AMERICA,)

Defendant.)

Docket No. 226

INTERLOCUTORY ORDER

In keeping with the opinion and upon the additional findings of fact numbered 13 through 36, which are filed herein and made a part of this order, the Commission concludes as a matter of law:

1. That the subject lands, to which the plaintiffs held Indian title and which are described in the Commission's Finding 12 as amended by its order of January 2, 1957, had a net acreage of 617,967.4;

2. That the 617,967.4 acres as of January 26, 1836, the effective date of the 1835 Caddo Treaty (7 Stat. 470), had a fair market value of \$463,475.55, or an average rate per acre of \$0.75;

3. That under Article 3 of the 1835 Caddo Treaty, the plaintiffs received \$80,000 in money and goods for all their right, title and interest in the subject lands, and the consideration so paid was unconscionable.

IT IS THEREFORE ORDERED, That the plaintiffs herein shall recover from the defendant the amount of \$383,475.55, less any offsets which hereafter may be determined.

IT IS FURTHER ORDERED, That the defendant shall have sixty days from the date of this order to amend its answer herein by setting forth any such offsets, counterclaims or other demands against the plaintiffs which are allowable under the provisions of the Indian Claims Commission Act.

Dated at Washington, D. C., this 22nd day of January, 1960.

EDGAR E. WITT
Chief Commissioner

WM. M. HOLT
Associate Commissioner