

BEFORE THE INDIAN CLAIMS COMMISSION

THE OTTAWA TRIBE AND GUY JENNISON,)
 BRONSON EDWARDS and GENE JENNISON,)
 As Representatives of THE OTTAWA)
 TRIBE,)

Petitioners,)

vs.)

Docket No. 303)

THE UNITED STATES OF AMERICA,)

Defendant.)

INTERLOCUTORY ORDER

Upon the findings of fact and opinion this day filed herein and which are hereby made a part of this order, the Commission finds and concludes as a matter of law;

1. That the petitioners, the Ottawa Tribe of Oklahoma, are entitled to recover the following sums, to-wit:

- (a) For Trust Land Funds unaccounted for by Agent Hutchinson the sum of \$30,603.94, together with accrued interest thereon at 5 percent from March 22, 1869 to March 22, 1934, and 4 percent per annum thereafter, and
- (b) The appraised value of the Ottawa School Section of land in the sum of \$22,600.00, and
- (c) The appraised value of 1,280 acres of Ottawa lands conveyed to Ottawa University in the sum of \$7,490.00, and
- (d) For Treaty Funds received by Agent Hutchinson for delivery to the Ottawa Tribe and not accounted for in the sum of \$3,354.75, and
- (e) For Expenses of the 1872 and 1873 commissions paid by the Ottawas in the sum of \$1,202.42.

2. That in addition to the foregoing, the petitioners are also entitled to recover as follows:

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- (a) The appraised value of the 10,702 acres of school lands, amounting to \$50,196.97, turned over to trustees by the 1873 agreement for sale for the benefit of the Ottawas, less whatever sums are shown to have been actually paid to the Ottawas by the trustees from the proceeds of sale and less the amounts expended for expenses and services of trustees set forth in Finding of Fact No. 44, and
- (b) For an amount equal to the profit that may be shown was made by Hutchinson and Kalloch from the sale of 5,000 acres of Ottawa school land which may be shown by the records of bona-fide first sales of these lands, and.
- (c) For the value of 3,032 acres of Ottawa school lands sold by the trustees who did not invest the proceeds as required by the Treaty of June 24, 1862 - the amount to be determined by taking the average sales prices of record for these sales.

IT IS ORDERED, THEREFORE, That this case proceed for the purpose of determining the amounts petitioners are entitled to recover under paragraph 2 (a), (b), and (c) as set forth above.

Dated at Washington, D. C., this 29th day of June, 1960.

Edgar E. Witt
Chief Commissioner

Wm. M. Holt
Associate Commissioner