

BEFORE THE INDIAN CLAIMS COMMISSION

CHARLES E. WILLIAMS, JOSEPH REDTHUNDER)
 and HARRY OWHI, as Representatives of)
 the NEZ PERCE TRIBE, Petitioners,)
 v.) Docket No. 180-A
 THE UNITED STATES OF AMERICA,)
 Defendant.)

7-5-60

FINAL JUDGMENT

This cause having come before the Commission upon the joint motion of the parties asking for the approval of a stipulation for entry of final judgment in Docket No. 180-A, which stipulation is in words and figures as follows, to-wit:

It is hereby stipulated between the parties that the above-entitled case be concluded insofar as proceedings before the Indian Claims Commission are concerned, by entry of a final judgment herein, for the sum of \$3,000,000.00 in accordance with the Findings of Fact, Opinion and Interlocutory Order herein dated December 31, 1959. The parties intend by this stipulation to waive their respective rights of petition for rehearing before the Commission. The parties do not waive their respective rights of appeal, the same being expressly reserved to each.

This stipulation has been reached upon the basis of a settlement and compromise, in Nez Perce Tribe of Indians, or Charles E. Williams and Joseph RedThunder, as representatives of the Nez Perce Tribe of Indians v. The United States of America, Docket No. 175-A, of all offsets, counterclaims, or payments on the claim which defendant has asserted, or could have asserted, against the Nez Perce Tribe or any of its bands, for the period July 1, 1861 through June 30, 1957. Defendant's right to assert offsets, counterclaims, or payments on the claim, arising prior to July 1, 1861, or subsequent to June 30, 1957, is expressly reserved.

/s/ I. S. Weissbrodt
 Attorney of Record for Petitioner
 /s/ Perry W. Morton, Assistant
 Attorney General of the U.S.
 /s/ John D. Sullivan
 Attorneys for Defendant.

That said stipulation was filed herein with said motion. Attached to and filed with it are the approvals of petitioner, Nez Perce Tribe of Idaho; the Confederated Tribes of the Colville Reservation, State of

-2-

Washington; the representative petitioners, Charles E. Williams and Joseph Redthunder; the contract attorneys, Cobb & Weissbrodt, Lyle Keith, Patrick H. Winston and James E. Curry; and the law firm of Wilkinson, Cragun and Barker (formerly named Wilkinson, Boyden & Cragun). The approvals by the parties, Nez Perce Indians, Idaho group, and State of Washington group, was pursuant to resolutions of said tribe authorizing said officials to approve the same. All signatures were duly authenticated.

That as mentioned in said stipulation it was reached upon the basis of a compromise settlement in Docket No. 175-A involving the same parties in which we have heretofore entered a final judgment after a hearing, and the adoption of Findings of Fact, and rendering an opinion thereon. Therefore because the same parties and the same subject matter are involved in the stipulation in both docket numbers, we adopt in these findings the record made, including Findings of Fact, Opinion and the Final Judgment in Docket No. 175-A insofar as applicable, as a part of these findings of fact in Docket No. 180-A.

Now, therefore, in conformity with the foregoing recitals, including the said stipulation,

IT IS THEREFORE ORDERED AND ADJUDGED, That the joint motion of the parties for final judgment be, and it is hereby granted that petitioners shall recover from the defendant the sum of \$3,000,000.00 in accordance with the Findings of Fact, Opinion and Interlocutory Order entered herein on December 31, 1959; and accordingly that judgment be, and hereby is entered in favor of petitioner against the defendant for the said sum of \$3,000,000.00 subject to the right of either party to appeal therefrom as provided in said stipulation.

Dated at Washington, D.C., this 5th day of July, 1960.

/s/ Wm. M. Holt
Associate Commissioner

/s/ T. Harold Scott
Associate Commissioner