

## BEFORE THE INDIAN CLAIMS COMMISSION

THE LUMMI TRIBE OF INDIANS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Docket No. 110
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

SECOND INTERLOCUTORY ORDER

Upon the findings of fact numbered 1 through 17 and Interlocutory Order heretofore entered herein on October 30, 1957, and the additional findings of fact numbered 18 through 30, this day filed herein, all of which are hereby made a part of this Order, the Commission concludes as a matter of law:

1. That the area in the present State of Washington which petitioner held under original Indian title and ceded to the defendant under the Treaty of January 22, 1955, contained 107,500 acres, of which 12,440 acres were reserved by the Indians under said Treaty; and

2. That the tract so ceded by the petitioner had a fair market value on March 8, 1859, the effective date of the Treaty, of \$52,067.00.

IT IS THEREFORE ORDERED, That the case proceed with proof of the commuted value of the consideration, if any, paid to the petitioner under the provisions of the Treaty of January 22, 1855; a determination as to whether such consideration so paid was unconscionable; and with proof of any offsets chargeable against the petitioner under the provisions of the Indian Claims Commission Act.

Dated at Washington, D. C., this 2nd day of March, 1962.

Arthur V. Watkins  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner

T. Harold Scott  
Associate Commissioner