

BEFORE THE INDIAN CLAIMS COMMISSION

THE KICKAPOO TRIBE OF KANSAS,)	
THE KICKAPOO TRIBE OF OKLAHOMA,)	
ET AL.,)	
)	
Petitioners,)	
)	
v.)	Docket No. 316
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

Upon the findings of fact, numbered 1 to 22, 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 petitioners, the Kickapoo Tribe of Kansas and the Kickapoo Tribe of Oklahoma, to the defendant by the treaty of May 18, 1854, 10 Stat. 1078-1081, comprised 618,000 acres; (2) that the consideration the petitioners received for the ceded lands was \$300,000; (3) that the value of such lands on July 17, 1854, the date the above treaty was ratified, was \$1,236,000; (4) and 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 petitioners have and recover from the defendant the sum of \$936,000, 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 and the petitioners shall file and serve a reply thereto within 40 days after such setoffs are filed with the Commission.

Dated at Washington, D. C., this 4th day of May, 1962.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner