

## BEFORE THE INDIAN CLAIMS COMMISSION

THE PEORIA TRIBE OF INDIANS OF	)	
OKLAHOMA, and GUY FROMAN on	)	
Behalf of the PEORIA NATION,	)	
FRED ENSWORTH on Behalf of the	)	
KASKASKIA NATION, AMOS ROBINSON	)	
SKYE on Behalf of the WEA NATION,	)	
and MABEL STATON PARKER on Behalf	)	
of the PIANKESHAW NATION,	)	
	)	
Petitioners,	)	
	)	
vs.	)	Docket No. 65
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

INTERLOCUTORY ORDER

Upon the findings of fact (numbered 1 through 11) heretofore entered in this case on March 26, 1956, and the supplementary findings of fact (numbered 12 through 15) this day filed herein, all of which are hereby made a part of this Order, the Commission concludes as a matter of law:

(a) That the defendant has satisfied the petition for an accounting under all of the treaties enumerated in the petition, as amended, with the exception of the Treaty of May 30, 1854 (10 Stat. 1082).

(b) That the claims asserted under the Treaty of May 30, 1854, are:

Claim I

That the commuted value of the annuities set forth in Article 6 of the Treaty of May 30, 1854, was less than the fair value thereof, and

Claim II

That the defendant failed to comply with the provisions of Article 4 of the Treaty of May 30, 1854, requiring that the Indians' land be sold by the United States on a freely competitive market, with the proceeds to be paid to the Indians but rather permitted non-Indian citizens to trespass upon the land and to purchase the land at artificially low appraised values, far below market price.

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(c) That, with respect to Claim I, the defendant fulfilled its obligations under Article 6 of the Treaty of May 30, 1854, and that the payments, as provided in the treaty, did not represent an unfair value for the commuted annuities.

(d) That with respect to Claim II, there is not sufficient evidence now before the Commission upon which to base a determination of the fair market value of the lands involved.

IT IS THEREFORE ORDERED AND ADJUDGED:

(a) That the petition for an accounting under all the treaties enumerated therein, with the exception of the Treaty of May 30, 1854, be, and the same is hereby dismissed;

(b) That the claim designated herein as Claim I be, and the same is hereby denied.

AND IT IS FURTHER ORDERED that the record in this case be reopened on the question of the fair market value of the lands involved in Claim II and that the petitioners shall have 60 days within which to supplement the record to support their claim asserted under Claim II.

Dated at Washington, D. C., this 12th day of September, 1962.

Arthur V. Watkins  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner

T. Harold Scott  
Associate Commissioner