

BEFORE THE INDIAN CLAIMS COMMISSION

THE CITIZEN BAND OF POTAWATOMI INDIANS)	
OF OKLAHOMA)	
)	
and)	
)	
POTAWATOMI NATION REPRESENTED BY)	
CITIZEN BAND OF POTAWATOMI INDIANS)	
OF OKLAHOMA, ET AL.,)	Docket No. 217
)	
THE PRAIRIE BAND OF THE POTAWATOMIE)	
TRIBE OF INDIANS, ET AL.,)	Docket No. 15-K
)	
HANNAHVILLE INDIAN COMMUNITY, ET AL.,)	Docket No. 29-J
)	
JAMES STRONG, et al., as the rep-)	
resentatives and on behalf of all)	
members by blood of the CHIPPEWA TRIBE)	
OF INDIANS, including all descendants)	
of Chippewa members of the UNITED)	
NATION OF INDIANS,)	Docket No. 13-L
)	
RED LAKE, PEMBINA, AND WHITE EARTH)	
BANDS, ET AL.,)	Docket No. 18-I
)	
ROBERT DOMINIC, ET AL., as the rep-)	
resentative and on behalf of all)	
members by blood of the OTTAWA TRIBE)	
OF INDIANS,)	Docket No. 40-J
)	
Petitioners,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER WITH RESPECT TO DOCKETS 217, 15-K and
29-J AND FINAL ORDER WITH RESPECT TO 13-L, 18-I, and 40-J

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

1. The petitioners herein in Dockets 217 and 15-K, as set forth and described in our Finding of Fact No. 5, and the petitioner in Docket 29-J, as set forth and described in our Finding of Fact No. 6 are identifiable groups of American Indians authorized to present and maintain the claims asserted.

2. The petitioners in Dockets 13-L, 18-K and 40-J, which were consolidated with the docket numbers set forth in paragraph one herein, are not proper parties in interest to this action and therefore the petitions as to these petitioners should be dismissed.

3. The area described in Finding of Fact No. 10 as that portion of Royce Area 148, lying east of the Fox River in Illinois, was exclusively used and occupied by the United Nation of Chippewas, Ottawas and Potawatomie Indians of the Waters of the Illinois, Milwaukee and Manitoouck Rivers, and held original Indian title to said land.

4. By treaty dated July 29, 1829, ratified on December 30, 1829, aforesaid United Nation of Chippewas, Ottawas and Potawatomie Indians ceded to the United States all the lands within said treaty including Royce Area 147 and that portion of Royce Area 148 lying westerly of the Fox River of Illinois as described in Findings of Fact 9 and 10. The United States by treaty dated August 24, 1816 (7 Stat. 146) recognized the title of the said United Nation of Chippewas, Ottawas and Potawatomie Indians to all the land in Royce Area 147 and the westerly portion of Royce Area 148 lying westerly of the Fox River in Illinois, save the acreage reserved as set forth in paragraph five below.

5. The said United Nation did not receive any interest in the reservation of five leagues square (144,000 acres) as set forth and described in Finding of Fact No. 9.

6. The lands described in Findings of Fact 9 and 10 containing 3,528,949 acres had a fair market value as of July 29, 1829, of \$2,470,264.30. Said date of July 29, 1829, being the valuation date as shown by Finding of Fact No. 30.

7. The sum of \$364,901.00 constituted the consideration for the lands described in Findings of Fact 9 and 10 and this sum will be credited to the United States as payment on the petitioners' claims.

IT IS THEREFORE ORDERED AND ADJUDGED that the petitioners in Docket Nos. 217, 15-K and 29-J shall have and recover of and from the defendant for and on behalf of the members and descendants of members of the United Nation of Chippewas, Ottawas and Potawatomie Indians of the Waters of the Illinois, Milwaukee and Manitoouck Rivers, as such bands of Indians were constituted and recognized by the United States in the treaty of July 29, 1829, the sum of \$2,470,264.30, less the sum of \$364,901.00, constituting

Page 3

the United States' payment on the claim, or a net amount of \$2,105,363.30, less such allowable offsets, if any, as may be determined in a later proceeding.

IT IS FURTHER ORDERED that the petitioners in Dockets 13-L, 18-I and 40-J are hereby dismissed, and

IT IS FURTHER ORDERED that the original of this order shall be filed in Docket 217 and certified copies thereof shall be filed in Dockets 15-K, 29-J, 13-L, 18-I and 40-J.

Dated at Washington, D. C., this 29th day of November, 1962.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner