

BEFORE THE INDIAN CLAIMS COMMISSION

MINNESOTA CHIPPEWA TRIBE, WHITE )  
 EARTH BAND, LEECH LAKE BAND, )  
 MILLE LAC BAND, ED WILSON, )  
 JAMES DAVIS, JOHN CORBOW, )  
 WILLIAM MORELL, HAROLD EMERSON, )  
 JOSEPH MORRISON, OLE SAM, )  
 MONROE SKINAWAY, EUGENE REYNOLDS, )  
 FRANK LA ROSE, JOSEPH MONROE, )  
 ARCHIE LIBBY AND JOHN SQUIRREL, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Defendant. )

Docket Nos. 18-B and 18-N

INTERLOCUTORY ORDER, WITH RESPECT TO DOCKET NO. 18-B AND  
FINAL ORDER, WITH RESPECT TO DOCKET NO. 18-N

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:

Docket No. 18-B

1. The total acreage of Royce Area 357 ceded by the Treaty of February 22, 1855, (less reserves located therein) was 10,233,700 of which the Mississippi Bands had held title to 4,452,100 acres and the Pillager and Lake Winnibigoshish Bands had held title to 5,781,600 acres.
2. The fair market value of Royce Area 357 as of February 22, 1855, was \$5,628,535.00 or an average per acre value of \$0.55.
3. The fair market value of the 4,452,100 acre tract held by the Mississippi Bands was \$2,448,655.00.
4. The fair market value of the 5,781,600 acres held by the Pillager and Lake Winnibigoshish Bands was \$3,179,880.00.
5. The Mille Lac Reservation (Royce Area 454) was created for the Mississippi Bands of Chippewa Indians by the Treaty of February 22, 1855, and it constituted a part of the consideration given for the cession by the Mississippi Bands. The fair market value of the 60,365.39 acres contained within the Mille Lac Reservation, as of February 22, 1855, was \$39,237.00.

6. The consideration given by defendant for the cession of Royce Area 357 was:

|  |              |
|--|--------------|
| Mississippi Bands                            | \$508,569.00 |
| Pillager and Lake<br>Winnibigoshish Bands -- | \$865,354.85 |

7. The consideration totaling \$508,569.00 paid by defendant to the Mississippi Bands for the cession of their lands having a fair market value of \$2,448,655.00 was so grossly inadequate as to make the consideration unconscionable.

8. The consideration totaling \$865,354.85 paid by defendant to the Pillager and Lake Winnibigoshish Bands for the cession of their lands having a fair market value of \$3,179,880.00 was so grossly inadequate as to make the consideration unconscionable.

IT IS THEREFORE ORDERED AND ADJUDGED that the Minnesota Chippewa Tribe shall have and recover of and from the defendant on behalf of:

(1) the Mississippi Bands the sum of \$2,448,655.00 less payments on the claim in the amount of \$508,569.00 leaving a net sum of \$1,940,086.00, less any allowable gratuitous offsets, to be determined in a later proceeding, and

(2) the Pillager and Lake Winnibigoshish Bands the sum of \$3,179,880.00 less payments on the claim in the amount of \$865,354.85 leaving a net sum of \$2,314,525.15, less any allowable gratuitous offsets, to be determined in a later proceeding.

Docket No. 18-N

The petitioners have not sustained the allegations of their petition with respect to either Cause I or Cause II of Docket No. 18-N, and none of the said petitioners is entitled to recover against defendant under any provision of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1049) and, therefore, the petition in the matter of Docket No. 18-N should be dismissed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Commission that the petition filed in the matter of Docket No. 18-N be, and the same is hereby dismissed.

Dated at Washington, D. C., this 20th day of November, 1964.

Arthur V. Watkins  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner

T. Harold Scott  
Associate Commissioner