

BEFORE THE INDIAN CLAIMS COMMISSION

THE SAC AND FOX TRIBE OF MISSOURI,)	
)	
Petitioner,)	
)	
v.)	Docket No. 195
)	
THE UNITED STATES,)	
)	
Defendant.)	

FINAL JUDGMENT

THIS CAUSE came on to be heard upon petitioner's motion for entry of final judgment filed on March 4, 1965, and upon defendant's response thereto filed on March 8, 1965, wherein defendant interposed no objection to entry of final judgment, subject to the right of appeal, and

IT APPEARING to this Commission that on May 1, 1964, there was entered an interlocutory judgment in favor of petitioner in Docket No. 195, The Sac and Fox Tribe of Missouri, in the amount of \$192,000, subject to offsets, if any, and

IT FURTHER APPEARING that petitioner herein was one of the group of Sac and Fox petitioners who entered into a stipulation with defendant in Docket No. 83, The Sac and Fox Tribe, et al v. The United States, on July 9, 1961, which stipulation provided as follows:

It is hereby stipulated between counsel for the parties to the above-entitled cause that gratuitous expenditures made by the United States in behalf of the petitioners shall be the subject of the following offset settlement:

1. The compromise settlement is in the sum of \$35,000.00.
2. Gratuities previous to November 2, 1804, or subsequent to June 30, 1860, are not included in the settlement, and are hereby preserved to the United States for use in any subsequent litigation between the named tribes and the United States.
3. Subject to No. 2 above, the settlement disposes of all gratuities which otherwise would have been claimed against the Sac and Fox Tribe of Indians of Oklahoma, the Sac and Fox Tribe

of Missouri, and the Sac and Fox Tribe of the Mississippi in Iowa, or any one of them, as petitioner or petitioners in Docket Nos. 83, 95, 135, 138, 143, 153, 158, 195, 209, 219, 220, 231 and 232, before the Indian Claims Commission.

4. The settlement is without prejudice to the right of any of the parties to appeal from any judgment of the Indian Claims Commission on any ground other than the allowance of gratuitous expenditures from November 3, 1804 through June 30, 1960 as offsets.

5. The agreed upon settlement amount of \$35,000.00 shall be applied in reduction of the first final award by the Indian Claims Commission which may be entered by the Commission in a docket in which all three of the above-designated Sac and Fox Tribes are petitioner, to wit: Docket Nos. 83, 95, 135, 138, 143, 153, 158, 209, 231 and 232.

6. The approval of this compromise settlement by each of the three Sac and Fox Tribes, petitioners herein, is to be by appropriate resolution. Defendant shall be furnished with copies of each of said resolutions and supporting papers, including the approval thereof by the Secretary of the Interior or his authorized representative.

7. Any judgment on offsets entered by the Commission pursuant to this stipulation shall be by way of compromise settlement and shall not be construed as an admission by any of the parties for purposes of precedent or argument in any future offset proceedings in any case.

IT FURTHER APPEARING that in pursuance of said stipulation the petitioner herein, as one of the parties petitioner in Docket No. 138, Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, et al v. The United States of America, did enter into a stipulation for entry of final judgment in said Docket No. 138, wherein the offsets referred to in the stipulation for settlement of offsets were compromised and settled, or reserved for application in cases other than Docket No. 195, the subject case, thereby disposing of all claimed offsets insofar as the subject case, Docket No. 195, is concerned, and

IT FURTHER APPEARING that said stipulation for entry of final judgment in Docket No. 138 was duly approved by this Commission in accordance with the requirements of the Commission in matters of compromise before it and that final judgment in said Docket No. 138 was entered by order dated March 2, 1965, and

UPON the facts recited herein the Commission finds that final judgment should be entered in Docket No. 195, and

IT IS THEREFORE ORDERED that the motion of petitioner in Docket No. 195 for entry of final judgment in the sum of \$192,000, subject to the right of appeal be, and the same is hereby, granted and that petitioner, The Sac and Fox Tribe of Missouri, do have and recover from the defendant the sum of \$192,000.

Dated at Washington, D. C., this 10th day of March, 1965.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner