

BEFORE THE INDIAN CLAIMS COMMISSION

THE IOWA TRIBE OF THE IOWA RESERVATION)
 IN KANSAS AND NEBRASKA, THE IOWA TRIBE)
 OF THE IOWA RESERVATION IN OKLAHOMA,)
 ET AL., THE SAC AND FOX TRIBE OF INDIANS)
 OF OKLAHOMA, THE SAC AND FOX TRIBE OF)
 MISSOURI, AND SAC AND FOX TRIBE OF)
 MISSISSIPPI IN IOWA, ET AL.,)

Petitioners,)

v.)

Docket No.135)

THE UNITED STATES OF AMERICA,)

Defendant.)

FINAL AWARD

On August 29, 1963, the Commission entered its "Second Interlocutory Order" wherein it ordered that the petitioner, the Sac and Fox Nation, shall recover from the defendant the amount of \$965,560.39 less any offsets which hereafter may be determined, and that the petitioner, the Iowa Tribe or Nation, shall recover from the defendant the amount of \$678,193.77, less any offsets which hereafter may be determined. The Commission had previously found that the petitioning tribes, 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, comprise the petitioner Sac and Fox Nation, and collectively are the successors in interest to the Sac and Fox Nation that participated in the Treaty of August 4, 1824 (7 Stat. 229) under which arose the claims asserted by the petitioner herein (Commission's Findings 2, 23; 6 Ind. Cl. Comm. 465, 493). The Commission had previously found that the petitioning Iowa tribes, the Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, and the Iowa Tribe of the Iowa Reservation in Oklahoma, comprise the petitioner, Iowa Nation of Indians, and are the successors in interest to the Iowa Nation of Indians that participated in the Treaty of August 4, 1824 (7 Stat. 231) under which arose the claims asserted by the petitioner herein (Commission's Findings 1, 15; 6 Ind. Cl. Comm. 464, 482).

On April 9, 1965, the several petitioners herein by their respective attorneys of record filed a joint "Motion For Entry Of Final Judgment" in which they asked that the interlocutory judgment entered in favor of the Iowa petitioners in the sum of \$678,193.77 less offsets and in favor of the Sac and Fox petitioners in the sum of \$965,560.39 be made final upon the approval by the Commission of the settlement of offsets claimed against the Iowa petitioners.

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Upon consideration of the petitioners' joint motion the Commission has this day entered its supplemental Findings of Fact 73 through 92 and opinion, which findings and opinion are hereby made a part of this order, and the Commission concludes as a matter of law that,

1. There are no offset claims pending in this docket or any other docket against the Sac and Fox petitioners, all offset claims in the amount of \$35,000 having been compromised by stipulation filed in Docket No. 83 on July 19, 1961, and approved and credited to the defendant in the final award entered on March 2, 1965 in Docket No. 138, The Iowa Tribe of the Iowa Reservation in Kansas and Nebraska et al., v. United States, 15 Ind. Cl. Comm. 42;
2. Offset claims against the Iowa petitioners applicable to this and all other Iowa dockets have been settled in the sum of \$45,000 by stipulation filed in this docket on February 5, 1965, between the Iowa petitioners and the defendant;
3. Said stipulation of offset claims as set forth above, has been carefully presented and explained to the Iowa petitioners by their attorneys of record, said petitioners have duly considered the same and have given their overwhelming approval to the stipulation;
4. Said stipulation of all offset claims in the amount of \$45,000 against the Iowa petitioners is a reasonable, fair, and equitable settlement for all the parties concerned, and is hereby approved by the Commission, and,
5. In accordance with the terms of the aforesaid stipulation the offset claims in the sum of \$45,000 will be credited to the defendant in the final award entered in this docket.

IT IS THEREFORE ORDERED that, the petitioners' joint "Motion For Entry Of Final Judgment" be, and the same is hereby granted.

IT IS FURTHER ORDERED that the stipulation of offsets in the sum of \$45,000 entered into between the Iowa petitioners and the defendant is hereby approved, that the said Iowa petitioners shall recover from the defendant in the amount of \$633,193.77 (being the sum of \$678,193.77 less stipulated offsets in the amount of \$45,000); and, that the Sac and Fox petitioners shall recover from the defendant in the amount of \$965,560.39.

Dated at Washington, D. C., this 7th day of May, 1965.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner