

BEFORE THE INDIAN CLAIMS COMMISSION

THE IOWA TRIBE OF THE IOWA)
 RESERVATION IN KANSAS AND)
 NEBRASKA, THE IOWA TRIBE OF)
 THE IOWA RESERVATION IN OKLA-)
 HOMA, ET AL., OMAHA TRIBE OF)
 NEBRASKA, ET AL., THE SAC AND)
 FOX TRIBE OF INDIANS OF OKLA-)
 HOMA, THE SAC AND FOX TRIBE OF)
 MISSOURI, SAC AND FOX TRIBE OF)
 THE MISSISSIPPI IN IOWA, ET AL.,)
)
 Petitioners,)
)
 v.)
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

Docket No. 138

ORDER ALLOWING ATTORNEYS' FEES TO ATTORNEYS FOR
 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

Upon consideration of the amended petition of the attorneys for the Sac and Fox tribal petitioners for an order allowing attorneys' fees equivalent to ten per centum (10%) of the final judgment of \$1,096,533.42 entered herein on March 2, 1965, in favor of 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, and the defendant having been served a copy of said amended petition and not objecting thereto, the Commission has found and concluded from the entire record in this case that;

1. The Sac and Fox attorneys are petitioning for the allowance of attorneys' fees under the following approved attorney contracts:

- (a) A contract, Symbol I-1 ind. 42249, as amended, between the Sac and Fox Tribe of Indians of Oklahoma and the law firm of Schiff, Harden, Waite, Dorschel and Britton, with George B. Pletsch, attorney of record;
- (b) A contract, Symbol I-1-ind. 42262, as amended, between the Sac and Fox Tribe of Missouri and the law firm of Pritzker, Pritzker, and Clinton, Stanford Clinton, attorney of record, and;

(c) A contract, Symbol No. I-1-ind. 42274, as amended, between the Sac and Fox Tribe of the Mississippi in Iowa and the law firm of Mills and Garrett, Lawrence C. Mills, attorney of record.

2. All three approved contracts provide for compensation to the Sac and Fox attorneys in the amount of ten per centum (10%) of any and all sums recovered or procured for said Sac and Fox tribes through the efforts whole or in part of said attorneys.

3. Any award of attorney fees to the Sac and Fox attorneys equivalent to ten per centum (10%) of the final award in this docket to the Sac and Fox Indians, or the sum of \$109,653.34 is subject to the terms and conditions of the "Stipulation For Entry Of Final Judgment", which stipulation was made a part of said Sac and Fox final award; and, wherein it was provided that from the net final judgment to the Sac and Fox tribes, \$150,000 together with any accrued interest thereon, shall be withheld from disbursement from the Treasury of the United States unless and until there be a final determination in Docket No. 332-A before the Commission denying the conflicting claim of the Yankton Sioux tribe, petitioner in Docket No. 332-A, for compensation for lands within Royce Area 151 lying south of the line described in Article 2 of the Treaty of August 19, 1825 (7 Stat. 272) as found by the Commission in its order of November 25, 1959.

4. Pursuant to the terms of the approved attorney contracts of employment, the Sac and Fox attorneys have rendered valuable legal services herein to the Sac and Fox tribes in the prosecution and settlement of their claims, and they are therefore entitled to the attorneys' fees as requested,

IT IS THEREFORE ORDERED that the Sac and Fox attorneys as described in sub-paragraph (1) above, be and they are hereby allowed the sum of \$109,653.34 for attorney services rendered in the prosecution and settlement of the Sac and Fox claims herein, subject to the condition that \$94,653.34 of said attorneys' fees shall be paid out of \$946,533.42 of the final award of \$1,096,533.42, or out of interest which may accrue on said \$946,533.42, and that the remaining \$150,000 of the attorneys' fees shall be withheld from disbursement and payment pending the final determination (including any appeal or review as provided by law) of the conflicting claims of the Yankton Sioux Tribe, petitioner in Docket No. 332-A, for compensation for land within Royce Area 151 lying south of the line described in Article 2 of the Treaty of August 19, 1825 (7 Stat. 272), as found by the Commission in its order herein of November 25, 1959; and, subject to the further condition that said sum of \$15,000 shall not, in any event, be disbursed and paid unless and until a final determination (including any appeal or review as provided by law)

is entered in said Docket No. 332-A denying the conflicting claim of the Yankton Sioux Tribe, petitioner in Docket No. 332-A.

Dated at Washington, D. C., this 18th day of May, 1965.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner