

BEFORE THE INDIAN CLAIMS COMMISSION

THE CONFEDERATED SALISH AND)
KOOTENAI TRIBES OF THE FLATHEAD)
RESERVATION, MONTANA,)
)
Petitioner,)
)
v.)
)
THE UNITED STATES,)
)
Defendant.)

Docket No. 61

SECOND INTERLOCUTORY ORDER

Upon the findings of fact numbered 1 through 21, opinion, and the interlocutory order entered herein on August 3, 1959, and the additional findings of fact numbered 22 through 42, and opinion this day entered herein, all of which are made part of this order, the Commission concludes as a matter of law that:

(1) The lands ceded by the petitioner to the defendant by the Treaty of July 16, 1855, 12 Stat. 975, comprised 12,005,000 acres;

(2) The consideration for the ceded lands was \$593,377.82;

(3) The value of the said lands on March 8, 1859, the date of ratification of the said treaty, was \$5,300,000.00; and

(4) By reason of the disparity between the consideration paid for the said lands and the value thereof, as above stated, the consideration was unconscionable.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petitioner have and recover from the defendant the sum of \$4,706,622.18, less such offsets, if any, as may be allowable under the Indian Claims Commission Act.

IT IS FURTHER ORDERED that within 60 days from the date of this order the defendant shall amend its answer by setting forth any offsets that may be authorized by the Indian Claims Commission Act.

Dated at Washington, D. C., this 29th day of September, 1965.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner