

6. Having breached its fiduciary obligations, the defendant is liable to petitioners for claims arising out of the 1859 Treaty in the sum of \$574,417.12,

7. Under the provisions of the Treaty of February 18, 1867, the Sac and Fox of the Mississippi ceded the residue of the Kansas lands, 132,718 acres, to the United States for a purported treaty consideration of \$204,677.81 (15 Stat. 495),

8. That as of July 25, 1868, the lands ceded under the 1867 Sac and Fox Treaty had a fair market value of \$464,515.80, or \$3.50 per acre,

9. In view of the 1868 fair market value of the lands ceded under the 1867 Treaty, the United States agreed to pay an unconscionable consideration and therefore is liable to the petitioners under the Indian Claims Commission Act (60 Stat. 1049) for the difference between the 1868 fair market value and the consideration actually paid to the Sac and Fox Indians;

10. The consideration actually paid to the Sac and Fox Indians for the lands ceded under the 1867 Treaty was \$139,524.38,

11. The petitioners are entitled to additional compensation for the lands ceded under the 1867 treaty, in the sum of \$324,991.42,

12. No gratuitous offsets are chargeable against any award made herein, said offsets having been stipulated and setoff against the judgment rendered in the compromised settlement of March 2, 1965 in Docket Nos. 138 and 232. The Iowa Tribe, et al., v. United States, 15 Ind. Cl. Comm. 42,

13. Petitioners, on behalf of the Sac and Fox of the Mississippi, are entitled to a net final judgment for claims arising out of the Treaty of October 1, 1859 and February 18, 1867, in the sum of \$899,408.54,

IT IS THEREFORE ORDERED that the petitioners herein, for and on behalf of the Sac and Fox of the Mississippi do have and recover of and from the defendant the sum of \$899,408.54.

Dated at Wasington, D. C., this 29th day of September, 1967.

Arthur V. Watkins
Arthur V. Watkins, Commissioner

Wm. M. Holt
Wm. M. Holt, Commissioner

T. Harold Scott
T. Harold Scott, Commissioner