

BEFORE THE INDIAN CLAIMS COMMISSION

THE HUALAPAI TRIBE OF THE HUALAPAI)	
RESERVATION, ARIZONA,)	
)	
Petitioner,)	
)	
v.)	Docket Nos. 90 and 122
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Decided: June 18, 1968

Appearances:

Arthur Lazarus, Jr., Attorney
of Record for Petitioner in
Docket No. 90 and Royal D.
Marks, Attorney of Record for
Petitioner in Docket No. 122,
Attorneys for Petitioner

Howard G. Campbell, with whom
was Mr. Assistant Attorney General
Clyde O. Martz, Attorneys for
Defendant

OPINION OF THE COMMISSION

Chairman Vance delivered the opinion of the Commission.

We have before us a proposed compromise settlement of the Hualapai claims in the above dockets. The Commission's approval of the same will finally close out all Hualapai litigation now pending.

On November 19, 1962 the Commission determined that the Hualapai Tribe was the aboriginal owner of 4,459,500 acres in northwestern Arizona, and that the United States acquired these lands from the Hualapais without the payment of any compensation. (11 Ind. Cl. Comm 447).

On December 21, 1966 we found that, as of January 4, 1883, which is the date of their acquisition by the United States, these lands were worth \$2,800,000, and that the defendant was liable to the petitioner in that amount less allowable offsets. (17 Ind. Cl. Comm. 456)

After the Commission had denied the petitioner's motion to rehear, (18 Ind. Cl. Comm. 382) the parties entered into serious negotiations aimed at settling their differences by compromise. The Commission commends them for their efforts in expediting these cases along the path toward final judgment in a manner satisfactory to both sides.

In the Commission's findings of fact entered this day, we have detailed the proceedings leading up to the proposed settlement, its terms and conditions, and its consideration and approval by all concerned. No useful purpose will be served by repeating the substance of our findings of fact in this opinion.

It is the Commission's judgment that the evidence of record and all the surrounding circumstances clearly indicate that the proposed compromise settlement of the Hualapai claims in these dockets is fair and just to the Hualapai Tribe and to the United States. We are satisfied that the parties have substantially complied with the Commission requirements governing the handling of compromise settlements, and that this settlement warrants the approval of the Commission and the entry of a final judgment.

We Concur:

Wm. M. Holt
Wm. M. Holt, Commissioner
T. Harold Scott
T. Harold Scott, Commissioner
Jerome K. Kuykendall
Jerome K. Kuykendall, Commissioner
Richard W. Yarborough
Richard W. Yarborough, Commissioner

John T. Vance
John T. Vance, Chairman