

-2-

IT IS HEREBY ORDERED:

(1) That Finding of Fact No. 42, entered on March 17, 1965 be stricken, and there be set forth in lieu thereof the following:

42. The petitioners are further entitled to recover damages resulting from the liability of the defendant on account of its failure to invest the sum of \$172,726.04 that would have been received had the United States not violated the Treaty of May 30, 1854. Those damages shall be measured by looking to a reasonable rate of interest to be applied to the principal sum. The appropriate rate of interest to be thus applied, as a measure of damages, is 5% per annum, simple interest. The interest shall be computed from the date of the sales, which date was July 13, 1857, until the principal sum of \$172,726.04 shall be paid.

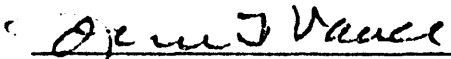
The total amount due petitioners to the date of this award, November 13, 1968, is \$1,134,234.11, less allowable gratuitous offsets in a total amount of \$829.14, or a net amount of \$1,133,404.97. In addition, the petitioners are entitled to an additional amount as part of damages measured by interest at the rate of 5% per annum, simple interest from the date of judgment, November 13, 1968, to the date of payment of the principal sum of \$172,726.04.

(2) That the final award entered herein on August 4, 1965, be and it is hereby vacated and this order is entered in lieu thereof and,

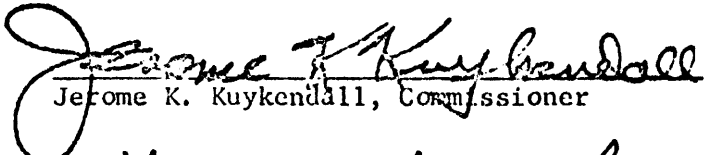
IT IS FURTHER ORDERED that petitioners shall have and recover of and from the defendant the sum of \$1,133,404.97 together with an additional amount as part of damages to be measured by simple interest at the rate

of five per centum (5%) per annum on the principal sum of \$172,726.04 from the date of this award, November 13, 1968, to the date of payment of said principal sum.

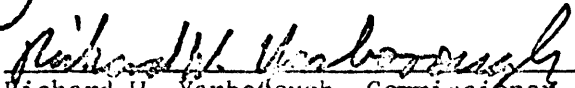
Dated at Washington, D. C., this 13th day of November, 1968.



John T. Vance, Chairman



Jerome K. Kuykendall, Commissioner



Richard W. Yarborough, Commissioner



Margaret Pierce, Commissioner