

BEFORE THE INDIAN CLAIMS COMMISSION

THE PONCA TRIBE OF OKLAHOMA,)
)
 and)
)
 WILLIAM OVERLAND, METHA COLLINS,)
 and JOHN WILLIAMS, as repre-)
 sentatives of the PONCA TRIBE)
 and all the members thereof,)
)
 Petitioners,)
)
 v.) Docket No. 322
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

SECOND INTERLOCUTORY ORDER

Upon the Findings of Fact numbered 26 through 46, inclusive, the Commission concludes as a matter of law:

1. That the acreage of the land described in our Finding No. 25(e) of our prior decision was 2,411,000, of which 77,000 were reserved for the said petitioners, leaving a net ceded by the petitioners to the defendant by the Treaty of March 12, 1858 (12 Stat. 997) of 2,334,000 acres;
2. That the consideration paid by the defendant to the said petitioners for such ceded lands was \$455,500.00;
3. That the value of such ceded lands on March 12, 1858, the date of extinguishment of said aboriginal title by the said treaty of cession was \$2,334,000, an average of \$1.00 per acre; and
4. That by reason of the disparity between the consideration paid for such lands and the value thereof as determined by this Commission, the consideration so paid and received was unconscionable;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petitioners have and recover from the defendant the sum of \$1,878,000.00, less such credits as the defendant may be entitled to under the provisions of the Indian Claims Commission Act (60 Stat. 1049).

Dated at Washington, D. C., this *4th* day of February, 1969.

John T. Vance

John T. Vance, Chairman

Jerome K. Kuykendall

Jerome K. Kuykendall, Commissioner

Richard W. Yarborough

Richard W. Yarborough, Commissioner

Margaret H. Pierce

Margaret H. Pierce, Commissioner

Theodore R. McKeldin, Commissioner

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