

BEFORE THE INDIAN CLAIMS COMMISSION

BAY MILLS INDIAN COMMUNITY, SAULT	)	
STE. MARIE BANDS, Arthur W. LaBlanc	)	
Daniel Edwards and John L. Boucher,	)	
	)	
Plaintiffs,	)	
v.	)	Docket No. 18-R
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
	)	

Decided: November 19, 1969

Appearances:

Rodney J. Edwards, Attorney for Plaintiffs.

Craig Decker, with whom was Mr. Assistant Attorney General Shiro Kashiwa, Attorneys for Defendant.

OPINION OF THE COMMISSION

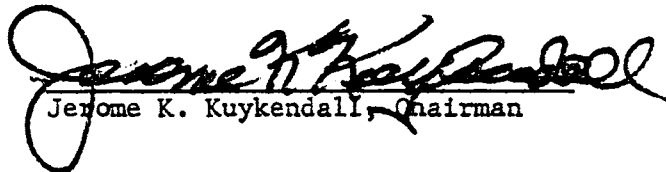
Chairman Kuykendall delivered the opinion of the Commission.

In this case the Bay Mills Indian Community seeks to recover additional compensation for lands in the northern peninsula of Michigan, which lands were ceded to the United States by the Treaty of June 16, 1820 (7 Stat. 206). The suit is brought on behalf of the Sault Ste. Marie Band of Chippewas, and the case is now before the Commission on the limited issues of the right of the plaintiffs to maintain this action and the ownership of the lands ceded by the 1820 Treaty. The Bay Mills Indian Community has established its right to maintain this action on behalf of the Sault Ste. Marie Band of Chippewas.

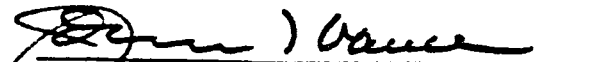
Under the terms of Article I of the Treaty of June 16, 1820, the Chippewas ceded land to the United States as described in our Finding 1. Said lands ceded are delineated as Area 112 by Charles C. Royce on his Michigan Map No. 1 in the 18th Annual Report of the Bureau of American Ethnology, Part II, Indian Cessions. The lands will hereafter

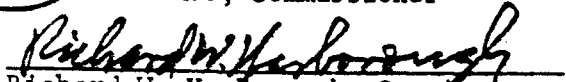
be referred to as Royce Area 112. Royce Area 112 contained 10,240 acres. We have found that the Sault Ste. Marie Band of Chippewas held the described land and had exclusively used and occupied it for a long time until the area was ceded to the United States by the Treaty of June 16, 1820, proclaimed March 2, 1821. The latter date was the effective date of the Treaty. Accordingly the fair market value of the 10,240 acres will be determined as of March 2, 1821.

The case will now proceed to a determination of the fair market value of the lands ceded and the amount of the consideration paid for the cession and offsets, if any.

  
 Jerome K. Kuykendall, Chairman

Concurring:

  
 John T. Vance, Commissioner

  
 Richard W. Yarnborough, Commissioner

  
 Margaret H. Pierce, Commissioner

  
 Brantley Blue, Commissioner