

BEFORE THE INDIAN CLAIMS COMMISSION

THE PEORIA TRIBE OF INDIANS OF)	
OKLAHOMA, on behalf of the)	Docket No. 99
Piankeshaw Nation, et al.,)	
)	
Plaintiff,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
THE KICKAPOO TRIBE OF KANSAS, et al.,)	Docket Nos. 317 and
THE PEORIA TRIBE OF INDIANS OF)	314-C
OKLAHOMA, on behalf of the Wea)	
Nation, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

Upon the findings of fact filed herein this day which are supplemental to findings of fact 1 through 21 in Docket No. 99 and findings of fact 1 through 11 in Docket Nos. 317 and 314-C and which are hereby made a part of this order, the Commission concludes:

1. That the 2,622,000 acre tract known as Royce Area 63 which was ceded by the Piankeshaw Tribe to the United States under the Treaty of December 30, 1805, ratified May 23, 1807 (7 Stat. 100), had a fair market value of \$3,277,500.00 as of May 23, 1807; that the consideration given by the United States for this cession was unconscionable; and that under Section 2(3) of the Indian Claims Commission Act the Peoria Tribe of Indians of Oklahoma, plaintiff in Docket No. 99, is entitled to recover from the defendant on behalf of the Piankeshaw Nation the sum of \$3,277,500.00 less the credit for payment on the claim of \$7,100.00 and any gratuitous offsets which may be subsequently allowed.

2. That the 405,000 acre tract known as Royce Area 73 which was ceded by the Wea and Kickapoo Tribes of Indians under the Treaties of September 30, 1809, ratified January 2, 1810 (7 Stat. 113) and December 9, 1809, ratified March 5, 1810 (7 Stat. 117), had a fair market value of \$567,000.00 as of March 5, 1810, and that the consideration given by the United States for this cession was unconscionable.

3. That the 91,000 acre tract known as Royce Area 74 which was ceded by the Wea and Kickapoo Tribes of Indians under the Treaties of December 9, 1809, supra, and October 2, 1818, ratified January 7, 1819 (7 Stat. 186), had a fair market value of \$136,500.00 as of January 7, 1819, and that the consideration given by the United States for this cession was unconscionable.

4. That under Section 2(3) of the Indian Claims Commission Act the Peoria Tribe of Indians of Oklahoma, plaintiff in Docket 314-C, is entitled to recover from the defendant on behalf of the Wea Nation one-half the value of Royce Areas 73 and 74 or the sum of \$351,750.00 less the credit for payment on the claim of \$2,000.00 and any gratuitous offsets which may be subsequently allowed.

5. That under Section 2(3) of the Indian Claims Commission Act the Kickapoo Tribe of Kansas, plaintiff in Docket 317, is entitled to recover from the defendant on behalf of the Kickapoo Tribe one-half the value of Royce Areas 73 and 74 or the sum of \$351,750.00 less the credit for payment on the claim of \$11,500.00 and any gratuitous offsets which may be subsequently allowed.

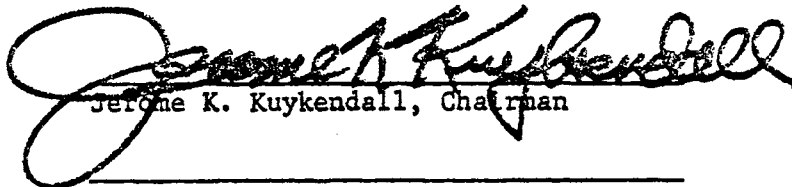
IT IS THEREFORE ORDERED that the Peoria Tribe of Indians of Oklahoma, plaintiff in Docket 99, recover from the defendant on behalf of the Piankeshaw Nation the sum of \$3,270,400.00 less any gratuitous offsets which may be subsequently allowed.

IT IS FURTHER ORDERED that the Peoria Tribe of Indians of Oklahoma, plaintiff in Docket 314-C, recover from the defendant on behalf of the Wea Nation the sum of \$349,750.00 less any gratuitous offsets which may be subsequently allowed.

IT IS FURTHER ORDERED that the Kickapoo Tribe of Kansas, plaintiff in Docket 317, recover from the defendant on behalf of the Kickapoo Tribe the sum of \$340,250.00 less any gratuitous offsets which may be subsequently allowed.

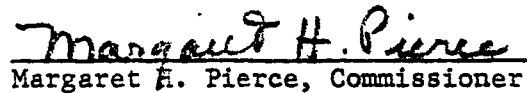
IT IS FURTHER ORDERED that the case now proceed to a determination of the gratuitous offsets, if any, which may be allowable under the Indian Claims Commission Act.

Dated at Washington, D. C. this 5th day of December, 1969.


Jerome K. Kuykendall, Chairman

John T. Vance, Commissioner


Richard W. Yarbrough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner