



by certain named individuals. Plaintiff has among its members descendants of the Joseph Band of the Nez Perce Tribe. The claim arises under section 2, clause 2 of the Indian Claims Commission Act (60 Stat. 1049, 1050) and is for a general accounting by the defendant of its administration and management of the lands, funds and other property which the defendant held in trust for the Nez Perce Tribe including the Joseph Band of that tribe.

On February 16, 1968, the defendant filed its accounting in this claim which included an accounting of the lands, funds and other property of the Nez Perce Tribe of Idaho as well as the lands, funds and other property of the Joseph Band of the Nez Perce Tribe. The Nez Perce Tribe of Idaho filed a motion to intervene in this claim on November 5, 1968. The Commission granted this motion and allowed the Nez Perce Tribe of Idaho to intervene as a party plaintiff in this claim on February 26, 1969.

Subsequently, counsel for the government, plaintiffs and intervenor entered into negotiations for the settlement of this claim.

On March 13, 1970, the plaintiffs, the Confederated Tribes of the Colville Reservation as the Representative of the Joseph Band of the Nez Perce Tribe, et al., the intervenor, the Nez Perce Tribe of Idaho, and the defendant, filed a joint motion in Docket No. 179 for approval of a proposed compromise settlement. A "Stipulation for Entry of Final Judgment" was attached to the motion and filed with the Commission at

the same time. This stipulation sets forth the terms and conditions of the proposed settlement in the above docket.

The stipulation was executed on behalf of the plaintiffs by their attorney of record, I. S. Weissbrodt, on behalf of the Nez Perce Tribe of Idaho by its attorney of record, Angelo A. Iadarola, and on behalf of the defendant by the Assistant Attorney General, Shiro Kashiwa, and trial attorney John D. Sullivan.

Under the stipulation it is proposed that a net final judgment against the defendant in the sum of \$1,119,071.78 be entered in Docket No. 179, with the reservation that the intervenor's right to prosecute its claim from July 1, 1951, to the date of judgment be preserved and this claim be severed and designated as Docket No. 179-A.

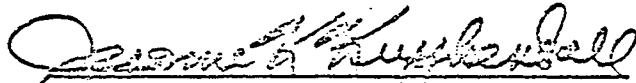
The entry of the above net final judgment in the amount of \$1,119,071.78 disposes of all claims or demands which the plaintiffs and the intervenor have asserted or could have asserted in this docket with respect to their accounting claim for the period extending up to and including June 30, 1951.

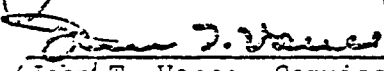
A hearing on the proposed compromise settlement was held before the Commission March 25, 1970. During the course of the hearing exhibits were filed and testimony was heard concerning the circumstances surrounding the proposed settlement.

In reviewing the evidence in support of the proposed compromise settlement, the Commission concludes that the plaintiffs and the intervenor have been fully advised by their counsel of all the circumstances surrounding the terms and conditions of the proposed settlement

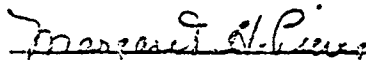
and that the plaintiffs and the intervenor have given their voluntary approval to the settlement in the course of their meetings convened for the purpose of giving this proposition due consideration.

The proposed compromise settlement in Docket No. 179 has been approved by the Secretary of the Interior and from all the facts and circumstances surrounding the proposed compromise settlement we are satisfied that it is in the best interest of the parties and that it is a fair and equitable settlement for the plaintiffs, the intervenor, and the defendant. The parties herein have complied with the Commission's requirements with respect to obtaining valid approval of the proposed compromise settlement of the claims asserted in this docket.

  
 Jerome K. Kuykendall, Chairman

  
 John T. Vance, Commissioner

Richard W. Yarborough, Commissioner

  
 Margaret H. Pierce, Commissioner

  
 Brantley Blue, Commissioner