

BEFORE THE INDIAN CLAIMS COMMISSION

SEMINOLE INDIANS OF THE STATE OF)	
FLORIDA,)	
)	
Plaintiffs,)	
v.)	Docket No. 73
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
SEMINOLE NATION OF OKLAHOMA,)	
)	
Plaintiff,)	
v.)	Docket No. 151
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Decided: October 22, 1970

ADDITIONAL FINDINGS OF FACT

The following Findings of Fact are supplemental to the Findings of Fact numbered 1 through 62 heretofore entered in the matter of Docket Nos. 73 and 151 consolidated.

63. The nature of the claim and the entire course of dealings and accounts between the defendant and the plaintiffs in good conscience warrant the allowance of the offsets claimed by the defendant which are proper and justified as set out more fully in the concurrent opinion this date entered in Docket Nos. 73 and 151 consolidated.

64. The defendant expended \$3,640.20 as funeral expenses for indigent Seminole Indians. These expenditures for indigent Indians are not allowable.

65. The defendant expended the following sums in the fiscal years indicated for purchases of land in Florida for the Seminole Indians, and the lands so acquired were held in trust for the Seminole Indians:

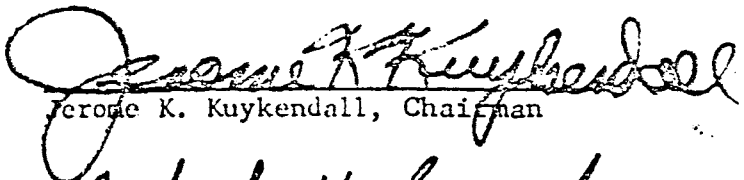
<u>FISCAL YEAR</u>	<u>EXPENDITURE</u>	<u>DATE OF ACT</u>	<u>CITATION</u>
1892	800.00	August 19, 1890	26 Stat. 352
1896	4,048.00	March 2, 1895	28 Stat. 892
1897	1,792.00	June 10, 1896	29 Stat. 337
1898	418.86	June 7, 1897	30 Stat. 78
1899	3,782.91	July 1, 1898	30 Stat. 586
1900	3,000.00	March 1, 1899	30 Stat. 938
1937	31,477.60	June 22, 1936	49 Stat. 1765
1940	18,000.00	May 10, 1939	53 Stat. 695
1942	7,000.00	June 28, 1941	55 Stat. 312
1943	14,065.63	July 3, 1945	59 Stat. 326
1946	334.37	July 3, 1945	59 Stat. 326

The plaintiffs do not contest the accuracy of the aggregate sum for land expenditures, \$84,719.37. This claimed offset is allowable.

66. By the Act of July 20, 1956 (70 Stat. 581), the defendant transferred to the plaintiffs 27,086.10 acres of land which the defendant had purchased during the depression for the dual purposes of moving struggling farmers off submarginal farms and making the land available to Seminole Indians. The purchases were made with funds from Title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent acts for the relief of stricken agricultural areas throughout the United States. The offset of lands purchased with funds from the National Recovery Acts is specifically prohibited by Section 2 of the Indian Claims Commission Act of 1946

25 U.S. C. 70a. This claimed offset is not allowable.

67. The plaintiffs shall recover of and from the defendant the net sum of \$12,262,780.63 in full satisfaction of the claims in Docket Nos. 73 and 151 consolidated.


Jerome K. Kuykendall, Chairman


Richard W. Yarbofough, Commissioner


Margaret H. Pierce, Commissioner