

## BEFORE THE INDIAN CLAIMS COMMISSION

THE PEORIA TRIBE OF INDIANS OF	)	
OKLAHOMA AND MABEL STATION PARKER	)	
on behalf of the Piankeshaw Nation	)	
and	)	
THE ABSENTEE DELAWARE TRIBE OF	)	
OKLAHOMA AND THE DELAWARE NATION,	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Docket No. 289
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

INTERLOCUTORY ORDER

Upon the findings of fact and opinion this day filed herein and which are hereby made a part of this order, the Commission concludes as a matter of law that:

1. The 2,007,000 acres ceded to the United States by the Delaware Tribe and the Piankeshaw Tribe (Royce Area 49) had a fair market value of \$3,010,500.00 as of January 21, 1805.
2. The consideration to be paid to the Delaware Tribe for the cession of its undivided half interest in Royce Area 49 was \$5,700.00.
3. The consideration to be paid to the Piankeshaw Tribe for the cession of its undivided half interest in Royce Area 49 was \$2,700.00.
4. The consideration of \$5,700.00 and \$2,700.00 for the Delaware and Piankeshaw Tribes' cession of their undivided 1/2 interests in lands having a fair market value of \$3,010,500.00 was so grossly inadequate as to be unconscionable within the contemplation of clause 3, section 2 of the Indian Claims Commission Act (60 Stat. 1049, 1050).
5. The Delaware Tribe and the Piankeshaw Tribe are each entitled to recover \$1,505,250.00, being one-half of the fair market value of the total tract, less the consideration which each respectively received and less gratuitous offsets, if any, allowable under section 2 of the Indian Claims Commission Act.

IT IS ORDERED that the plaintiffs have and recover from the defendant the following amounts:

Peoria Tribe of Indians of  
Oklahoma and Mabel Stanton  
Parker, on behalf of the  
Piankeshaw Tribe.....\$1,505,250.00


The Absentee Delaware Tribe  
of Oklahoma and the Delaware  
Nation, et al., on behalf of  
the Delaware Tribe.....\$1,505,250.00

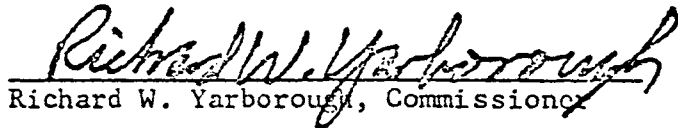
The above amounts are subject to deductions for any offsets which may hereinafter be determined to be allowable.

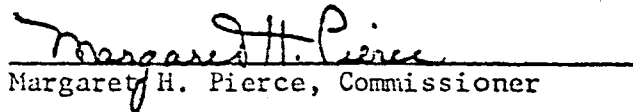
IT IS FURTHER ORDERED that this case proceed for the purpose of determining the amount of the consideration paid the respective tribes and the gratuitous offsets, if any, allowable under section 2 of the Indian Claims Commission Act.

Dated at Washington, D. C., this 11<sup>th</sup> day of December 1970.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner