

BEFORE THE INDIAN CLAIMS COMMISSION

THE OTTAWA TRIBE and GUY JENNISON,	)	
BRONSON EDWARDS and GENE JENNISON,	)	
AS REPRESENTATIVE OF THE OTTAWA TRIBE,	)	
	)	
Plaintiffs,	)	
	)	Docket No. 305
v.	)	
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

INTERLOCUTORY ORDER

Upon the findings of fact and opinion this day filed herein and made a part hereof, the Commission concludes as a matter of law;

Claim No. 1 for accounting.

That the plaintiff has failed to establish the failure of the defendant to account for the monies acquired from the sale of land ceded by the Ottawa Indians under the Treaty of August 30, 1831, and are not entitled to recover on its claim therefor.

Claim No. 2 for additional compensation.

That under the Treaty of August 30, 1831, 7 Stat. 359, the Ottawa Indians of Blanchard's Fork, Little Auglaize River, Roche de Boeuf and Wolf Rapids ceded to the United States all their rights, title and interest to those parcels of land identified as Royce 167, 168, 169 and 170 located in northwestern Ohio and, that, as of April 6, 1832, the effective date of said treaty, the fair market value of the interest of the Ottawa Indians in said land was \$190,000.

That the United States, as consideration for the cession aforesaid, granted to the Ottawa Indians land, goods and services having a value of \$109,414.24.

That the payment of \$109,414.24 by the United States for lands having a fair market value of \$190,000 was payment of an unconscionable consideration under the provisions of the Indian Claims Commission Act.

IT IS THEREFORE ORDERED, that the first claim of the plaintiff's petition, relative to accounting, be, and the same is hereby, dismissed.

IT IS FURTHER ORDERED, that the plaintiff, on behalf of the Ottawa Indians of Blanchard's Fork, Little Auglaize River, Roche de Boeuf, and Wolf Rapids, has and recovers from the defendant the sum of \$80,585.76, less any allowable offsets.

Dated at Washington, D. C., this 15<sup>th</sup> day of March, 1972.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner