

BEFORE THE INDIAN CLAIMS COMMISSION

THE SENECA NATION OF INDIANS,)	Docket Nos. 342-B, C
)	
THE TONAWANDA BAND OF SENECA)	
INDIANS,)	Docket No. 368
)	
Plaintiffs,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

Upon the findings of fact numbered 27 through 130, and the opinion this day filed herein, all of which are made a part of this order, the Commission concludes as a matter of law that:

1. The fair market value of the Seneca Nation's lands ceded in 1802 was \$55,000 on the valuation date and the consideration of \$6,500 paid at the time for the lands was unconscionable under Clause 3, Section 2, of the Indian Claims Commission Act, rendering defendant liable in the amount of \$48,500.

2. The fair market value of the Seneca Nation's lands ceded in 1815 was \$63,500 on the valuation date and the consideration of \$11,000 paid at the time for the lands was unconscionable under Clause 3, Section 2, of the Indian Claims Commission Act, rendering defendant liable in the amount of \$52,500.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiffs, on behalf of and for the benefit of the Seneca Nation as it existed or was constituted in 1802 and 1815, shall have and recover from the defendant the amount of \$101,000, less such offsets, if any, as may be allowable under the Indian Claims Commission Act.


IT IS FURTHER ORDERED that this case proceed for the purpose of determining the amount of gratuitous offsets, if any allowable.


Dated at Washington, D. C., 1972 3rd day of May 1972.


Rose K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner