

BEFORE THE INDIAN CLAIMS COMMISSION

THE SENECA NATION OF INDIANS,) Docket No. 342-E
)
 Plaintiffs,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Defendant.)

FINAL ORDER OF DISMISSAL

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 plaintiff had a compensable interest in lands in the Cattaraugus Reservation conveyed by a private transaction in 1802, for which, by the Trade and Intercourse Act of 1790, the defendant had an obligation to ensure that a conscionable consideration was received.

2. The fair market value of the plaintiff's lands ceded in this docket was not greater than the fair market value of the lands received in exchange, so that the consideration paid at the time was conscionable under the Indian Claims Commission Act, and plaintiff suffered no damage.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff's claim in this docket be and the same is hereby dismissed.

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

Jerome K. Kuykendall
Jerome K. Kuykendall, Chairman

John T. Vance
John T. Vance, Commissioner

Richard W. Yarbrough
Richard W. Yarbrough, Commissioner

Margaret H. Pierce
Margaret H. Pierce, Commissioner

Brantley Blue
Brantley Blue, Commissioner