



DATE: July 5, 2017

FROM: Lester Randall, Kickapoo Tribal Chairman

Research Conducted on Kickapoo Treaty Claims

I. Treaty of December 9, 1809 (7 Stat. 117)

The Kickapoo Tribe of Kansas, et. al., v. the United States of America

Indian Claims Commission Docket Nos. 317 and 314-C
10 Ind. Cl. Comm. 271
Findings of Fact and Opinion of the Commission
Decided: March 2, 1962

This action against the United States by the Tribes was for additional compensation for two tracts of land ceded in treaties by both the Kickapoo and Wea Tribes in the area that is now part of Indiana and Illinois. The Commission determined in the above entitled action that both Tribes had recognized title to the lands referred to as Royce Area 73 and 74 and were allowed to offer proof as to their respective interests.

Links to documents:

<http://digital.library.okstate.edu/icc/v10/icc10p271.pdf>

<http://digital.library.okstate.edu/icc/v10/icc10p279.pdf>

<http://digital.library.okstate.edu/icc/v10/icc10p285a.pdf>

The United States of America v. The Kickapoo Tribe of Kansas, et. al.

This opinion of the Indian Claims Commission was appealed to the United States Court of Claims 174 Ct. Cl. 550; 1966 U.S. Ct. Cl. Lexis 166.
Decided: February 18, 1966.

In this case, the Court of Claims affirmed the Commissions holding that the Kickapoo Tribe (both of Kansas and Oklahoma) and the Wea Tribe had recognized Title to Royce 73 and 74 in Western Indiana and Eastern Illinois.

Link to documents:

<https://cdn.citl.illinois.edu/courses/aiiopcmpss/miamicase/1966Feb18.htm>

The Peoria Tribe, et. al. v. the United States of America v. The Kickapoo Tribe of Kansas et. al. v. The United States of America

Indian Claims Commission Docket Nos. 317 and 314-C
22 Ind. Cl. Comm. 186
Supplemental Findings of Fact
Decided: December 5, 1969

The Commission made the following additional findings after additional proof was offered on the interests of the Tribes and consideration provided to the Tribes for the cessation of Royce Area 73 and 74. The Commission determined that the Kickapoo Tribe of Kansas is entitled to recover on behalf of the Kickapoo Tribe the sum of \$351,750.00 less the payment of the claim of \$11,500.00 previously paid and any offsets which may be subsequently allowed.

Link to documents:

<http://digital.library.okstate.edu/icc/v22/icc22p197.pdf>

II. Treaty of July 30, 1819 as amended by Treaty of July 19, 1820

The Kickapoo Tribe of Kansas, the Kickapoo Tribe of Oklahoma, the Kickapoo Nation, et. al. v. the United States of America

Indian Claims Commission Docket No. 315
42 Ind. Cl. Comm. 354
Opinion of the Commission, Findings of Fact on Value and Consideration and Order Setting Awards Subject to Offsets
Decided: August 25, 1978

The claims brought in this matter are for monetary damages to remedy unconscionable for cessations of land in Illinois and Indiana (Royce Area 110) under the Treaty of July 30, 1819, 7 Stat. 200 as amended by the Treaty of July 19, 1820, 7 Stat. 208. The Commission held that the Kickapoo Tribe was entitled to the value of \$11,427,130.00 less offsets of the United States.

Links to documents:

<http://digital.library.okstate.edu/icc/v42/icc42p354.pdf>
<http://digital.library.okstate.edu/icc/v42/icc42p434.pdf>
<http://digital.library.okstate.edu/icc/v42/icc42p521.pdf>

*The Kickapoo Tribe of Kansas, the Kickapoo Tribe of Oklahoma, the Kickapoo Nation, et. al.
v. the United States of America*

219 Ct. Cl. 719, 618 F2d 119 (1979)

Opinion

Decided: January 5, 1979

The United States Court of Federal Claims awarded judgment to the Tribe in Indian Claims Commission Docket No. 315 and Congress subsequently appropriated funds to pay the judgment. As required by the Indian Tribal Judgment Funds use or Distribution Act, 25 U.S.C. § 1401-1408, the Secretary of the Interior prepared and published a plan for the Tribe's judgment funds. 45 Fed. Reg. 19,619 (March 26, 1980) (Link below) According to that plan, the Kickapoo Tribe of Kansas and the Kickapoo Tribe of Oklahoma were to bring their membership rolls current. Once the rolls were current, the Secretary shall make a per capita distribution of 80% of the judgment funds to each tribe. Pursuant to its distribution plan, the Kickapoo Tribe in Kansas apportioned 15% of the judgment funds to a land acquisition program and 5% of the funds to a tribal burial program.

Link to document:

<https://www.loc.gov/item/fr045060/>

III. Treaty of October 24, 1832

*The Kickapoo Tribe of Kansas, the Kickapoo Tribe of Oklahoma, the Kickapoo Nation, et. al.
v. the United States of America*

Indian Claims Commission Docket No. 193

19 Ind. Cl. Comm. 37
Findings of Fact on Compromised Settlement, Opinion of the Commission and Final Judgment
Decided: February 29, 1968

This is an action brought by the Kickapoo Tribe of Kansas and the Kickapoo Tribe of Oklahoma, collectively the Kickapoo Nation against the United States to cessation of a tract of land in Southwest Missouri under the Treaty of October 24, 1832 for an allegedly unconscionable consideration. The Kickapoo Nation is seeking additional compensation for the land ceded to the United States. The Tribe reached a joint settlement with the United States in favor of the Tribes for \$540,000.00.

Links to documents:

<http://digital.library.okstate.edu/icc/v19/icc19p037.pdf>
<http://digital.library.okstate.edu/icc/v19/icc19p054.pdf>
<http://digital.library.okstate.edu/icc/v19/icc19p055a.pdf>

IV. Treaty of May 18, 1854

*The Kickapoo Tribe of Kansas, the Kickapoo Tribe of Oklahoma, the Kickapoo Nation, et. al.
v. the United States of America*

Indian Claims Commission Docket No. 316
10 Ind. Cl. Comm. 320
Findings of Fact, Opinion of the Commission and Interlocutory Order
Decided: May 4, 1962

This is an action brought by the Kickapoo Tribe of Kansas and the Kickapoo Tribe of Oklahoma, collectively the Kickapoo Nation against the United States to cessation of 618,000 acres of land to the United States under the Treaty of May 18, 1854. The Court held as consideration for the land, the Tribe received \$300,000.00, however, the fair market value of the land at that times was \$1,236,000.00 and therefore the tribe was entitled to the sum of \$936,000.00, less offsets, if any that may be allowed by the United States.

Links to documents:

<http://digital.library.okstate.edu/icc/v10/icc10p320.pdf>
<http://digital.library.okstate.edu/icc/v10/icc10p333.pdf>
<http://digital.library.okstate.edu/icc/v10/icc10p360a.pdf>

***The Kickapoo Tribe of Kansas, the Kickapoo Tribe of Oklahoma, the Kickapoo Nation, et. al.
v. the United States of America***

372 F.3d 890 (Ct. Cl. 1967)

Opinion

Decided: February 17, 1967

This is an action stems from the above Indian Claims Commission interlocutory determination of certain offsets by the United States. The United States Court of Claims found that the United States could be credited for certain offsets of the Tribe, such as sums expended for land purchase, however other credits were improper. The Court remanded the case back to the Commission for further findings.

Links to document:

<http://law.justia.com/cases/federal/appellate-courts/F2/372/980/215295>
