August 2, 1957

THE SAC AND FOX TRIBE OF INDIANS OF OKLAHOMA, THE SAC AND FOX TRIBE OF MISSOURI, SAC AND FOX TRIBE OF THE MISSISSIPPI IN IOWA, et al., THE IOWA TRIBE OF THE IOWA RESERVATION IN KANSAS AND NEBRASKA, THE IOWA TRIBE OF THE IOWA RESERVATION IN OKLAHOMA, et al.,

Petitioners,

vs.

THE UNITED STATES OF AMERICA,

Defendant.

Docket No. 153

INTERLOCUTORY ORDER

Upon the findings of fact this day filed herein, which are hereby made a part of this order, a: which are confined to the determination of capacity of the plaintiffs to maintain the actions asserte and the ownership of the land involved, the Commission concludes as a matter of law:

1. That the petitioners are authorized by the Indian Claims Commission Act to prosecute the claims set forth;

2. That by the Treaty of August 19, 1825 the defendant recognized that the petitioners were possessed of Indian title to the land described in Finding 5 and that their interests therein are as stated in Finding 89.

IT IS THEREFORE ORDERED AND ADJUDGED:

1. That the petitioners herein are authorized under the Indian Claims Commission Act to institute and assert their respective claims and that the said petitioners had at the time of the cession of the land involved herein by the treaty of September 21, 1832 recognized title to the land ceded by said treaty and described in Finding 5.

2. That their respective interests in said lands are as set forth in Finding 89.

IT IS FURTHER ORDERED:

That the parties hereto be and they are hereby directed to proceed with the production of evidence to show the acreage of the lands hereinabove described, the value of same as of February 9, 1933, and the consideration received therefor by the respective petitioners; and on such other matters as may have bearing upon the question of defendant's liability in the premises.

Dated at Washington, D. C., this the 2nd day of August, 1957.

Edgar E. Witt, Chief Commissioner
Louis J. O'Marr, Associate Commissioner
Wm. M. Holt, Associate Commissioner.