

## BEFORE THE INDIAN CLAIMS COMMISSION

THE YAKIMA TRIBE OF INDIANS,

Petitioners,

vs.

THE UNITED STATES OF AMERICA,

Defendant.

Docket No. 47

11-32-57  
INTERLOCUTORY ORDER.

Upon additional findings of fact this day filed, which are hereby made a part of this Order, the Commission concludes that the Interlocutory Order entered in this Docket on November 6, 1953, should be amended to show that the petitioners are entitled to recover of the defendant the value of 27,647.71 acres, being the Cedar Valley tracts taken as set forth in Findings of Fact No. 26 and No. 27, rather than for the value of 27,994.15 acres as is specified in said previous Interlocutory Order.

The Commission further concludes that the area within Tract C for which petitioners are also entitled to recover is 17,669.10 acres; that the value of the Cedar Valley tracts on December 21, 1904, was \$69,119.28, and that the value of the Tract C land on January 24, 1923, was \$22,086.38; and that petitioners are entitled as a matter of law to just compensation for the wrongful taking of said lands upon these respective dates.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Commission that the Interlocutory Order of November 6, 1953, stand amended to show the petitioners are entitled to recover of the defendant for the wrongful taking on December 21, 1904, of 27,647.71 acres of land, known as the Cedar Valley tracts, in place and stead of 27,994.15 acres as is specified in said Interlocutory Order of November 6, 1953.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioners recover from the defendant for the wrongful taking on January 24, 1923, of 17,669.10 acres in Tract C; that the value of the Cedar Valley tracts, comprising 27,647.71 acres, was \$69,119.28 on December 21, 1904, and the value of said 17,669.10 acres in Tract C on January 24, 1923, was \$22,086.38.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the petitioners recover of the defendant the sum of \$69,119.28 with interest thereon at

the rate of 5% per annum from December 21, 1904, to December 21, 1934, and at the rate of 4% per annum thereafter until date of entry of a final award herein, together with the further sum of \$22,086.38 with interest thereon at the rate of 5% per annum from January 24, 1923, to January 24, 1934, and at the rate of 4% per annum thereafter until the entry of a final award in this Docket.

Dated at Washington, D. C., this 29th day of November, A. D. 1957.

Edgar E. Witt  
Chief Commissioner

Louis J. O'Marr  
Associate Commissioner

Wm. M. Holt  
Associate Commissioner