

BEFORE THE INDIAN CLAIMS COMMISSION

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

Docket No. 135

Petitioners,)

v.)

THE UNITED STATES OF AMERICA,)

Defendant.)

7-2-52

INTERLOCUTORY ORDER

This cause came on for hearing before the Commission and having been fully advised upon the issues presented and submitted therein for determination upon the findings of fact this day filed herein and made a part of this order, the Commission concludes as a matter of law;

1. That the respective petitioners are Indian tribes or bands residing within the territorial limits of the United States, and have the capacity and right to maintain this suit under the provisions of Section 2 of the Indian Claims Commission Act (60 Stat. 1050); and

2. That the defendant did not recognize any compensable interest, title, or legal right in the petitioners to those lands described in the Commission's Finding 4, either by virtue of the Treaty of August 19, 1825 (7 Stat. 272), the Treaty of November 3, 1804 (7 Stat. 84), or any other treaty, statute, or agreement; and

3. That the said petitioners are the successors in interest to those tribes, bands, or groups of Indians who held original Indian title to those lands ceded under the treaties of August 4, 1824 (7 Stat. 229, 231) and described in the Commission's Findings 15 and 23; and

4. That reservation title to Royce Cession 120 was given to the Sac and Fox half-breeds by virtue of the Treaty of August 4, 1824 (7 Stat. 229) and thereafter title in fee was vested in said Sac and Fox half-breeds by the Act of June 20, 1834. (4 Stat. 740)

IT IS THEREFORE ORDERED:

That this case proceed to a determination of the acreage of the aforementioned lands, the consideration paid for said lands by the defendant, the value thereof as of the effective dates of the treaties of August 4, 1824, and on such other matters as may bear upon the question of defendant's liability herein.

IT IS FURTHER ORDERED:

That, in conformance with the Commission's opinion rendered herein the petitioner, Sac and Fox Nation, may present additional evidence bearing upon defendant's liability, if any, to the petitioner relative to Cession 120.

Dated at Washington, D. C., this 2nd day of July, 1958.

Edgar E. Witt
Chief Commissioner

Louis J. O'Marr
Associate Commissioner

Wm. M. Holt
Associate Commissioner