

## BEFORE THE INDIAN CLAIMS COMMISSION

THE YAKIMA TRIBE OF INDIANS, )  
 )  
 Petitioner, )  
 )  
 v. ) Docket No. 161  
 )  
 THE UNITED STATES, )  
 )  
 Defendant. )

THE CONFEDERATED TRIBES OF THE )  
 COLVILLE RESERVATION as the )  
 Representative of the Moses Band, )  
 )  
 Petitioner, )  
 )  
 v. ) Docket No. 224  
 )  
 THE UNITED STATES, )  
 )  
 Defendant. )

7-28-59

ORDER OVERRULING MOTION TO DISMISS DOCKET NO. 224  
 INSOFAR AS DOCKET NO. 161 IS CONCERNED AND  
 GRANTING MOTION OF PETITIONER IN DOCKET NO. 224  
 TO INTERVENE IN DOCKET NO. 161

Upon consideration of the motion filed by petitioner in Docket No. 161 on June 18, 1958, to dismiss Docket No. 224 insofar as Docket No. 161 is concerned and the proposed findings of fact to support such motion, filed September 26, 1958, and the response of petitioner in Docket No. 224 filed herein on November 25, 1958, and the response of defendant filed herein on June 4, 1959, and the replies of petitioners in Docket Nos. 161 and 224 filed thereto on June 25, 1959, and June 19, 1959, respectively, and the arguments of counsel for all parties before the Commission on July 17, 1959, and in accordance with the findings of fact and for the reasons set forth in the opinion both filed this day herein and which are hereby made a part of this order, the Commission finds that said motion should be denied.

IT IS THEREFORE ORDERED, That the said motion of petitioner in Docket No. 161 be, and the same is hereby denied.

Further, upon consideration of the motion filed by petitioner in Docket No. 224 on October 8, 1957, to intervene as a petitioner in

-2-

Docket No. 161, neither petitioner in Docket No. 161 nor defendant replying thereto, and the arguments of counsel for all parties before the Commission on July 17, 1959, and in accordance with the findings of fact and opinion referred to above, the Commission finds that said motion to intervene should be sustained.

IT IS THEREFORE FURTHER ORDERED, That the said motion of petitioner in Docket No. 224 to intervene as a petitioner in Docket No. 161 be, and the same is hereby granted.

IT IS FURTHER ORDERED, That the case shall proceed for the purpose of determining the Indian title to the entire area ceded by the Treaty of June 9, 1855.

Dated at Washington, D. C., this 28th day of July, 1959.

Edgar E. Witt  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner