BEFORE THE INDIAN CLAIMS COMMISSION

LYDE P. THOMPSON, WILLIAM FULLER,
ERNEST A. BELLAS, HENRY MILLER,
EDGAR CORDOVA, ARCHIE McHINNEY,
LOYD BARRINGTON, SATURNINO E.
MALAC, W. G. WALKER, LAWRENCE
URCELL, FRANKIE MOOREHEAD and
THUR TREPPA, members, and as the
representatives of, and on the re-
tion of the Indians of California,

Petitioners,

v.

E UNITED STATES OF AMERICA,

Defendant.

and

WEST RISLING, PETER NASTEN,
RY G. DORNBAU, as the repre-
tatives of, and on the relation
Indians of California,

Plaintiffs,

v.

E UNITED STATES OF AMERICA,

Defendant.

INTERLOCUTORY ORDER

Upon the Findings of Fact this day filed herein, which are hereby a part of the Order, the Commission concludes as a matter of law:

1. That the named individual petitioners have the capacity to maintain this action as representatives of the identifiable group generally known as the 'Indians of California';

2. That petitioners have established original Indian title to land referred to as "Area B" in the State of California, except Spanish and Mexican private land grants mentioned in Finding of
Fact No. 5. "Area B" is all the lands within the State of California, except those in "Area A" which is as follows:

Northern Paiute Nation, Docket 87;
Southern Paiute Nation, Dockets 88 and 330;
Klamath and Modoc Tribes, Docket 100;
Washoe Tribe, Docket 288;
Quecham Tribe, Docket 319;
Pitt River Indians, Docket 347;
Chemehuevi Tribe, Docket 351;
Mission Bands, Docket 80, whose boundaries are shown on said Exhibit ALK-1955 - Parts 1 and 2, and described by Dr. A. L. Kroeber at pp. 1104-1106, Vol. XV of Transcript; and Mohave Tribe, Dockets 283 and 295, whose boundaries are set forth in Finding of Fact No. 23, Mohave Tribe of Indians, 7 Ind. Cl. Com. 217, 240, 241.

(See also, Paragraph 1 of Commission's Order of October 6, 1958, in Dockets Nos. 31, 37.)

3. That the original Indian title to said lands in "Area B" was extinguished by the United States by virtue of the provisions of the Act of March 3, 1851, 9 Stat. 631.

IT IS THEREFORE ORDERED, That the case will now proceed to a determination of the acreage of "Area B," less the acreages of the reservations located therein as mentioned in Finding of Fact No. 8, and less the acreages of the Spanish and Mexican land grants in "Area B"; to a consideration of the value of the net acreage of "Area B" as of the date of acquisition; and to a consideration of what offsets, if any, defendant is entitled to under the provisions of the Indian Claims Commission Act.

Dated at Washington, D. C., this 31st day of July, 1959.

Edgar E. Witt
Chief Commissioner

Louis J. O'Neill
Associate Commissioner

Wm. H. Holt
Associate Commissioner