

BEFORE THE INDIAN CLAIMS COMMISSION

THE SAC AND FOX TRIBE OF INDIANS)
 OF OKLAHOMA, ET AL.,)
)
 Petitioners,)
)
 vs.)
)
 THE UNITED STATES,)
)
 Defendant.)

Docket No. 231

INTERLOCUTORY ORDER

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

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

2. That by the Treaty of August 19, 1825, 7 Stat. 272, the defendant recognized title in the Sac and Fox and Iowa Nations to the lands in Iowa described on Royce's map I of Iowa as Cession 244;

3. That the Sac and Fox Nation ceded their interest in Royce's Cession 244 to the United States under the Treaty of October 21, 1837, 7 Stat. 540, and Iowa Nation ceded its interest therein to the United States by the Treaty of October 19, 1838, 7 Stat. 568.

IT IS THEREFORE ORDERED that the case shall proceed to a determination of the respective interests of the Sac and Fox and Iowa Nations in Royce Cession 244 which is to be shown either by their respective use and occupancy of said area or in some other equitable manner acceptable to the Commission, the value thereof when ceded by the respective Sac and Fox and Iowa Nations, and the consideration each Nation received for the cession of its interest in said lands.

Dated at Washington, D. C., this 1st day of June, 1962.

Arthur V. Watkins
 Chief Commissioner

Wm. M. Holt
 Associate Commissioner

T. Harold Scott
 Associate Commissioner