

BEFORE THE INDIAN CLAIMS COMMISSION

THE JICARILLA APACHE TRIBE OF)	
THE JICARILLA APACHE RESERVATION,)	
NEW MEXICO,)	
)	
Petitioner,)	
)	
v.)	Docket No. 22-A
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
THE KIOWA, COMANCHE AND APACHE)	
TRIBES OF INDIANS,)	
)	
Petitioners,)	
)	
v.)	Docket No. 257
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

Upon the findings of fact and opinion this day filed herein, and which are hereby made a part of this order, the Commission finds and concludes as a matter of law:

1. That, the petitioner, the Jicarilla Apache Tribe of the Jicarilla Apache Reservation, is an organized tribe of American Indians, and, as such, has the right to bring and maintain the claims in Docket 22-A in a representative capacity for and on behalf of the aboriginal Jicarilla Apache Tribe pursuant to the provisions of the Indian Claims Commission Act (60 Stat. 1049);

2. That, by virtue of the Treaty of Guadalupe Hidalgo, entered into between the United States and the Mexican Republic on February 2, 1848 (9 Stat. 922), the United States acquired by formal cession control and sovereignty over a vast area south of Arkansas River embracing a great part of the aboriginal claim of the Jicarilla Apache Tribe herein;

3. That, during the years following the attachment of American sovereignty in 1848 until the Jicarilla Apache Tribe was finally settled on the reservation in Rio Arriba County, New Mexico, the United States, without payment of compensation and through the actions and conduct of

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its military forces, other agents and the white citizenry, gradually acquired the aboriginal lands of the Jicarilla Apache Tribe as more particularly described in the Commission's Finding 60;

IT IS THEREFORE ORDERED that this case shall proceed for the determination of the acreage of that area as set forth in the Commission's Finding 60, all relevant matters concerning Spanish and Mexican land grants within said area, and for purposes of the evaluation, the time or times said area was acquired by the United States, provided, however, that, if the parties should mutually agree on said date or dates of evaluation of the lands awarded herein, subject to the approval of the Commission, then this case shall proceed with the hearing on valuation.

Dated at Washington, D. C., this 26th day of August, 1963.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner