

BEFORE THE INDIAN CLAIMS COMMISSION

THE CONFEDERATED TRIBES OF THE WARM)
SPRINGS RESERVATION OF OREGON,)

Petitioner,)

v.)

Docket No. 198

THE UNITED STATES OF AMERICA,)

Defendant.)

10-10-63

INTERLOCUTORY ORDER

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

1. The petitioner herein, The Confederated Tribes of the Warm Springs Reservation of Oregon, has the right and capacity under the Indian Claims Commission Act to bring and maintain this suit for and on behalf of the seven bands or tribes of Indians, who were parties to the Treaty of June 25, 1855 (12 Stat. 963), namely; the Cascade, Hood River, the Dalles bands of Wasco Indians, and the Tenino, Wyam, Tygh, and John Day River bands of Wayampam Indians;
2. That prior to and at the time of the Treaty of June 25, 1855, the aforementioned seven bands or tribes of Indians were separate land owning entities;
3. That on March 8, 1859, the effective date of the Treaty of June 25, 1855, the seven bands or tribes who were formally confederated under the treaty, ceded to the United States all their right, title, and interest to a large area of land in Oregon officially identified as Royce Area 369;
4. That as of the effective date of the 1855 treaty of cession, none of the confederated tribes or bands either separately or collectively had recognized title to any of the lands within Royce Area 369; and,
5. That, as of the effective date of the 1855 treaty of cession, the seven bands or tribes of Indians held Indian title to seven separate but contiguous tracts of land on the south side and south of the Columbia River in Oregon, a more accurate description of which is set out in the Commission's Findings 50 and 51.

IT IS THEREFORE ORDERED, that this case proceed to a determination of the total acreage of the ceded lands, their value as of the date of taking, the consideration paid by the United States to the confederated bands or tribes for said lands, and all other matters bearing upon the defendant's liability to the petitioner herein.

Dated at Washington, D. C., this 10th day of October, 1963.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner