

BEFORE THE INDIAN CLAIMS COMMISSION

OTCE AND MISSOURI TRIBE)	
OF INDIANS,)	
Plaintiff,)	
v.)	Docket No. 11-A
THE UNITED STATES OF AMERICA,)	
Defendant.)	
THE IOWA TRIBE OF THE ICWA)	
RESERVATION IN KANSAS AND)	
NEBRASKA, ET AL.,)	
PETITIONERS,)	
v.)	Docket No. 138
THE UNITED STATES OF AMERICA,)	
Defendant.)	
THE YANKTON SIOUX TRIBE OR)	
BAND OF INDIANS,)	
Petitioners,)	
v.)	Docket No. 332-A
THE UNITED STATES OF AMERICA,)	
Defendant.)	

ORDER AMENDING FINDING 2, DOCKETS NOS. 11-A and 138 -
DETERMINATION OF THE LINE DESCRIBED IN ARTICLE 2 OF
THE TREATY OF AUGUST 19, 1825 (7 Stat. 272).

By the Commission's order of September 8, 1959, the petitioner, the Yankton Sioux Tribe, was allowed to intervene in the consolidated cases, Dockets Nos. 11-A and 138, for the limited purpose of having the Commission determine the precise location of that portion of the line described in Article 2 of the Treaty of August 19, 1825 (7 Stat. 272, which line runs through Royce Cession 151 in the present state of Iowa, Oral argument on the issue involved was heard before the Commission on October 2, 1959, and shortly thereafter briefs were submitted by all the parties. The Commission has now been fully advised, and after considering all the evidence and the findings heretofore made in Dockets Nos. 11-A and 138, the Commission concludes that Finding 2 made therein should now be amended (5 Ind. Cl. Comm. 316, 317).

IT IS THEREFORE ORDERED:

-2-

That Findings 2 of Dockets Nos. 11-A and 138 is hereby stricken and the following findings substituted in lieu thereof:

"2. The land involved in the case is located east of the Missouri River in what is now western Iowa and northwestern Missouri. It forms a greater part of that area (known as Royce Cession 151) described in Article I of the Treaty of July 15, 1830 (7 Stat. 328), and is located south of the Sac and Fox-Sioux line set forth in Article 2 of the Treaty of August 19, 1825 (7 Stat. 272). The western terminus of the Sac and Fox-Sioux line within Royce Cession 151 is at the juncture of the Rock River and the Calumet (or Big Sioux) River, which point is referred to in Article 2 of the 1825 treaty as 'the lower fork of the Calumet River.' Based upon the planimeter method of Calculation the subject area contains approximately ten million acres."

Dated at Washington, D. C., this 25th day of November, 1959.

Edgar E. Witt
Chief Commissioner

Wm. M. Holt
Associate Commissioner