

BEFORE THE INDIAN CLAIMS COMMISSION

THE CONFEDERATED TRIBES OF THE WARM)
SPRINGS RESERVATION OF OREGON,)
)
Petitioner,)
)
v.)
)
THE UNITED STATES OF AMERICA,)
)
Defendant.)

Docket No. 198

ORDER AMENDING FINDINGS OF FACT
AND INTERLOCUTORY ORDER

In compliance with the decision of the Court of Claims reversing and remanding this docket to the Commission for further proceedings, Appeal No. 2-64, The Confederated Tribes of the Warm Springs Reservation of Oregon, v. The United States, decided October 14, 1966, the Commission for the reasons stated in the opinion accompanying this order, orders that:

1. The language in Finding of Fact 50, entered herein on October 10, 1963, is hereby stricken, and in lieu thereof is substituted the following:

"On March 8, 1859, the effective date of the 1855 treaty of cession, the Cascade, Hood River, and Dalles Wasco Indians, and the four bands of Wayampam Indians (the Tenino, Tygh, Wyam, and John Day River Indians), held Indian title to lands on the south side and below the Columbia River within an area circumscribed by a line drawn as follows:

"Commencing at the junction of the Multnomah-Hood River county line on the Columbia River, thence southerly along the Multnomah-Hood River county line to the southeast corner of Multnomah County; thence southeast on a line to the town of Maupin in Wasco County; thence northeast on a line across the John Day River to Rock Creek in Gilliam County; thence northerly following the meanders of Rock Creek to its intersection with the Willamette Base Line; thence north on a line to the Columbia River passing through the town of Arlington in Gilliam County."

2. Finding of Fact 51, entered herein on October 10, 1963, is hereby stricken.

IT IS FURTHER ORDERED that the Commission's Interlocutory Order, entered herein on October 10, 1963, is hereby amended by;

1. Striking out paragraph "2" on page "1" of said order, and,
2. Striking out the language in paragraph "5" of said order and substituting in lieu thereof the following:

"That as of the effective date of the 1855 treaty of cession, the three bands of Wasco Indians and the four bands of Wayampam Indians held Indian title to lands on the south side and below the Columbia River in Oregon, a more accurate description of which is set out in the Commission's Finding of Fact 50.

All other Findings of Fact entered herein on October 10, 1963, not inconsistent with the opinion and order of the Court of Claims of October 14, 1966, are re-entered and affirmed.

Dated at Washington, D. C., this 4th day of April, 1967.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

Associate Commissioner T. Harold Scott did not participate in the case.