

BEFORE THE INDIAN CLAIMS COMMISSION

THE SENECA NATION OF INDIANS,)
)
 Petitioner,)
)
 v.) Docket Nos. 342-B
) 342-C
) 342-D
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

TONAWANDA BAND OF SENECA INDIANS,)
)
 Petitioner,)
)
 v.) Docket No. 368
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)


INTERLOCUTORY ORDER

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

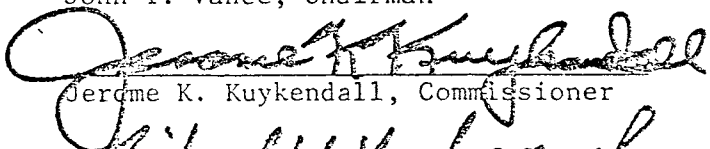
1. That the petitioners herein, the Seneca Nation of Indians and the Tonawanda Band of Seneca Indians, are entitled to prosecute this action; and
2. That the claim presented in Docket No. 342-D is not sustained by facts or law and the petition should be and is hereby dismissed; and
3. That the petitioners had a compensable interest in the lands sold to New York in 1802 and 1815 for which fair and honorable dealings require that they receive a conscionable consideration.

IT is therefore ordered and adjudged that Docket Nos. 342-B, 342-C, and 368 proceed for determination of the acreage involved, its fair market value when sold, and the consideration received.

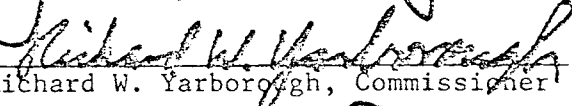
Dated at Washington, D. C. this 17th day of December, 1968.




John T. Vance, Chairman



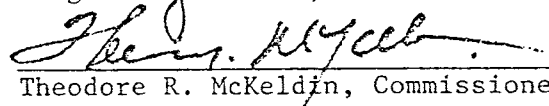
Jerome K. Kuykendall, Commissioner



Richard W. Yarborough, Commissioner



Margaret H. Pierce, Commissioner



Theodore R. McKeldin, Commissioner