

BEFORE THE INDIAN CLAIMS COMMISSION

THE FORT SILL APACHE TRIBE OF THE)	
STATE OF OKLAHOMA,)	
)	
THE CHIRICAHUA APACHE TRIBE, EX REL.)	
SAM HAOZOUS, BENEDICT JOHZE,)	
JAMES KAYWAYKLA, ROBERT GOODAY,)	
DAVID CHINNEY,)	
)	
THE WARM SPRINGS APACHE BAND, EX REL.)	
SAM HAOZOUS, BENEDICT JOHZE,)	
RAYMOND JOHN LOCO,)	
)	
THE CHIRICAHUA APACHE BAND, EX REL.)	
ROBERT GOODAY, DAVID CHINNEY,)	Docket Nos. 30 and 48
CASPER CALIO,)	
)	
THE NAVAJO TRIBE OF INDIANS,)	Docket No. 229
)	
Plaintiffs,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

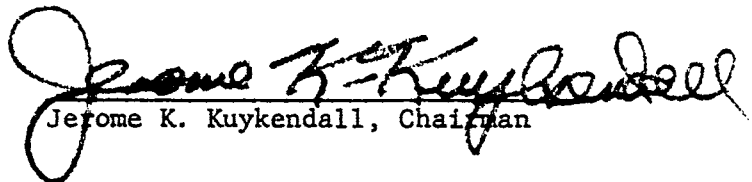
Based upon the findings of fact and opinion this day entered herein, which findings of fact and opinion are hereby made a part of this order, the Commission concludes as a matter of law that,

1. The Apache plaintiffs and the Navajo Tribe of Indians have the right and capacity to assert the respective claims herein.
2. As of September 4, 1886 the Apache plaintiffs held Indian title to that tract of land described in the Commission's finding of fact "14".
3. On September 4, 1886, the United States without the payment of any compensation extinguished the Apache plaintiffs' Indian title to the aforesaid tract of land, and,

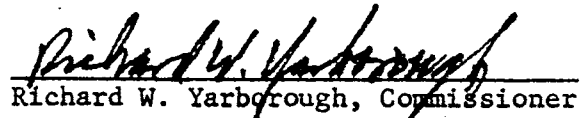
4. The evidence does not support the Apache title claims to the balance of the land in suit.

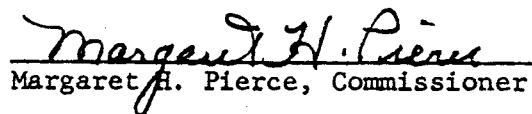
IT IS ORDERED that this case shall now proceed to a determination of the acreage of the tract of land described in the Commission's finding of fact "14", its fair market value as of September 4, 1886, and all other issues determinative of the extent of the defendant's liability to the Apache plaintiffs.

Dated at Washington, D. C., this 1st day of April, 1970.


Jerome K. Kuykendall, Chairman

John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner