

BEFORE THE INDIAN CLAIMS COMMISSION

THE YANKTON SIOUX TRIBE,)	
)	
Plaintiff,)	
)	
THE SIOUX NATION, ET AL.,)	
)	
Intervenors,)	
v.)	Docket No. 332-C
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

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

- (a) The plaintiff in Docket No. 332-C is entitled to maintain this action under the Indian Claims Commission Act.
- (b) The Yankton Sioux had aboriginal title to lands bound as follows:
 - (1) Beginning at a point in the Missouri River where Hughs, Hyde, and Lyman Counties, South Dakota meet, northeasterly in a direct line through the easternmost point in the Town of Highmore, South Dakota, to a point on South Fork Snake Creek;
 - (2) Then easterly down South Fork Snake Creek and Snake Creek to its mouth on the James River;
 - (3) Then southerly down the James River to the mouth of Timber Creek;
 - (4) Then east-southeasterly in a direct line to the mouth of Stray Horse Creek on the Big Sioux River;
 - (5) Then southerly down the Big Sioux River to its mouth on the Missouri River;

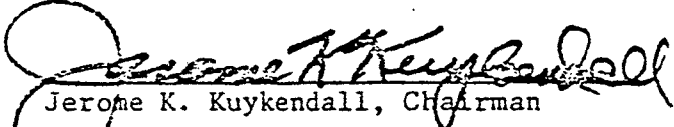
(6) Then westerly and northerly up the middle of the Missouri River to the point of beginning.


(All of the above-described locations are as depicted on the latest editions of the U. S. Geological Survey Maps, Western United States 1:250,000 series).

- (c) The land belonging to the Yankton Sioux Tribe, including its interest in the land reserved for the Sioux by the Treaty of Fort Laramie of September 17, 1851, was taken by the Treaty of April 19, 1858 (11 Stat. 743), which treaty was ratified by the President on February 26, 1859. The valuation date for the lands taken is February 26, 1859.
- (d) The Yankton Sioux did not have aboriginal title to any other land within the boundaries set forth in Plaintiff's Proposed Findings of Fact No. 18, filed July 29, 1968.
- (e) Neither the Teton Sioux nor the Yanktonais Sioux had any interest in the subject lands, and therefore, their intervention herein should be and is hereby dismissed.

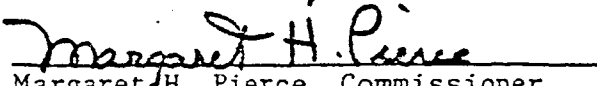
Docket 332-C will proceed to the remaining issues of acreage value and consideration.

Dated at Washington, D. C., this 14th day of December, 1970.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner