

BEFORE THE INDIAN CLAIMS COMMISSION

THE CONFEDERATED TRIBES OF THE	)	
COLVILLE RESERVATION as the	)	
representative of the JOSEPH BAND	)	
OF THE NEZ PERCE TRIBE,	)	
	)	
CHARLES E. WILLIAMS, JOSEPH REDTHUNDER	)	
AND HARRY OWHI, as the representatives	)	
of the JOSEPH BAND OF THE NEZ PERCE	)	
TRIBE,	)	Docket No. 186
	)	
THE CONFEDERATED TRIBES OF THE	)	
COLVILLE RESERVATION, as successor to	)	
the claims of the JOSEPH BAND OF THE	)	
NEZ PERCE TRIBE,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

INTERLOCUTORY ORDER

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

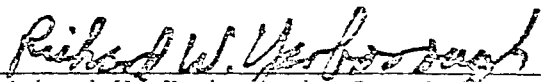
1. The plaintiffs herein, The Confederated Tribes of the Colville Reservation and Charles E. Williams, Joseph Redthunder and Harry Owhi, have the legal capacity to bring this suit under section 2 of the Indian Claims Commission Act of 1946, 60 Stat. 1049.


2. The plaintiffs' claim for the destruction of the Joseph Band as a viable economic, social and political entity does not state a cause of action cognizable under the Indian Claims Commission Act.

3. Plaintiffs have proven a compensable claim under section 2, clauses (1) and (5) of the Indian Claims Commission Act, for the withdrawal, by the Executive Order of June 10, 1875, of the Wallowa Reservation which had been created by the Executive Order of June 16, 1873.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this suit proceed to a determination of the value of the interest of Joseph's Band in the Wallowa Reservation as of June 10, 1875.

Dated at Washington, D. C., this 26<sup>th</sup> day of March, 1971.

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner