

## BEFORE THE INDIAN CLAIMS COMMISSION

SIMON PLAMONDON, ON RELATION OF	)	
THE COWLITZ TRIBE OF INDIANS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Docket No. 218
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

ORDER AMENDING FINDINGS AND INTERLOCUTORY ORDER

On September 9, 1969, plaintiff in Docket No. 218 filed a motion for rehearing and amendment of the Commission's findings and interlocutory order entered herein on June 25, 1969. On October 4, 1969, defendant responded to this motion. By order of December 10, 1969, the Commission granted rehearing for the purpose of receiving additional evidence relating to the manner and date(s) of taking of plaintiff's aboriginal lands. On June 5, 1970, plaintiff filed proposed findings of fact and brief on dates of taking. On September 24, 1970, defendant filed a brief and objections to plaintiff's proposed findings, and on November 9, 1970, plaintiff replied to defendant's objections.

Upon the findings of fact filed this day herein, and for the reasons stated in the opinion accompanying this order, IT IS HEREBY ORDERED that:

1. Finding of Fact 14, entered herein on June 25, 1969, is amended by striking the language beginning with the words "In 1857, Special Indian Agent Ford, Western District of Washington...", and continuing to the end of that finding.

2. Finding of Fact 15, entered herein on June 25, 1969, is amended by striking the words "at the time of the unexecuted treaty of March 3, 1855," and substituting in lieu thereof "at the time it was deprived of its lands." Finding 15 is redesignated as Finding 20.

3. Finding of Fact 16, entered herein on June 25, 1969, is amended by striking the words "prior to the 1855 taking." Finding 16 is redesignated as Finding 21.

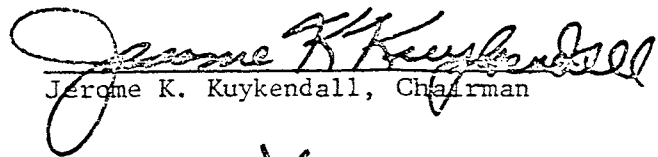
4. The Commission's Interlocutory Order, entered herein on June 25, 1969, is amended by striking paragraph 2, and substituting in lieu thereof the following paragraph 2:

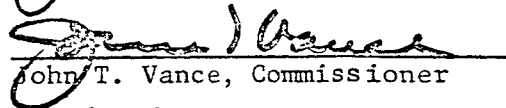
The defendant deprived the Cowlitz Tribe of its aboriginal title as of March 20, 1863, without the payment of any compensation therefor,

and by striking the words "numbered 15, as of March 3, 1855," and substituting in lieu thereof "numbered 20, as of March 20, 1863."

IT IS FURTHER ORDERED that this case proceed to a determination of the acreage and the fair market value of the lands described in Finding of Fact 20 as of March 20, 1863.

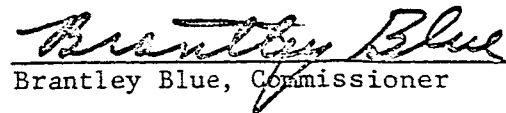
Dated at Washington, D. C., this 23<sup>d</sup> day of June, 1971.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner