

BEFORE THE INDIAN CLAIMS COMMISSION

SENECA-CAYUGA TRIBE OF OKLAHOMA	)	
AND PETER BUCK, STEWART JAMISON,	)	
RUBY CHARLOE, DAVID CHARLOE AND	)	
LEWIS WHITEWING, MEMBERS AND	)	
REPRESENTATIVES THEREOF,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Docket Nos. 341-A and 341-B
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

INTERLOCUTORY ORDER

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

1. Neither the public sale of the Sandusky Reservation nor the public sale of the Lewistown Reservation was conducted in accordance with the Act of April 24, 1820 (3 Stat. 566), which governed the sale of public lands.

2. Defendant's failure to properly conduct the respective public sales constituted breaches of both the Sandusky Treaty (February 28, 1831, 7 Stat. 348) and the Lewistown Treaty (July 20, 1831, 7 Stat. 351).

3. Defendant, in breach of the 1831 treaties, supra, wrongfully withheld from sale 640 acres of the Sandusky Reservation and 640 acres of the Lewistown Reservation.

IT IS ORDERED that these cases proceed for the purpose of determining the fair market value of the lands involved and the resulting damages, if any, caused by defendant's breach of its duties under the respective treaties.

IT IS FURTHER ORDERED that plaintiffs shall have 90 days from the date of this order to file any objections or exceptions to the Accounting Report herein filed and defendant's statement and computations concerning the accounting.

Dated at Washington, D. C., this 29<sup>th</sup> day December, 1971

Jerome K. Kuykendall  
Jerome K. Kuykendall, Chairman

John T. Vance  
John T. Vance, Commissioner

Richard W. Yarborough  
Richard W. Yarborough, Commissioner

Margaret H. Pierce  
Margaret H. Pierce, Commissioner

Brantley Blue  
Brantley Blue, Commissioner