

## BEFORE THE INDIAN CLAIMS COMMISSION

JAMES STRONG, <u>et al.</u> , as the representa-	)	
tives and on behalf of all members by	)	Docket No. 13-G
blood of the CHIPPEWA TRIBE OF INDIANS,	)	
	)	
THE POTTAWATOMIE TRIBE OF INDIANS, THE	)	
PRAIRIE BAND OF THE POTTAWATOMIE TRIBE	)	Docket No. 15-E
OF INDIANS, <u>et al.</u> ,	)	
	)	
RED LAKE BAND, <u>et al.</u> ,	)	Docket No. 18-M
	)	
THE DELAWARE TRIBE OF INDIANS,	)	Docket No. 27-B
	)	
HANNAHVILLE INDIAN COMMUNITY, <u>et al.</u> ,	)	Docket No. 29-C
	)	
ROBERT DOMINIC, <u>et al.</u> , on behalf of	)	
THE OTTAWA TRIBE OF INDIANS,	)	Docket No. 40-F
	)	
SHAWNEE TRIBE OF INDIANS OF OKLAHOMA,	)	
<u>et al.</u> ,	)	Docket No. 64
	)	
THE SIX NATIONS, <u>et al.</u> ,	)	Docket No. 89
	)	
LAWRENCE ZANE, <u>et al.</u> , <u>ex rel.</u> ,	)	
WYANDOT TRIBE, <u>et al.</u> ,	)	Docket No. 120
	)	
IRA SYLVESTER GODFROY, <u>et al.</u> , <u>ex rel.</u> ,	)	
THE MIAMI INDIAN TRIBE,	)	Docket No. 130
	)	
MIAMI TRIBE OF OKLAHOMA, <u>et al.</u> ,	)	Docket No. 252
	)	
EASTERN SHAWNEE TRIBE OF OKLAHOMA,	)	
<u>et al.</u> ,	)	Docket No. 335
	)	
ABSENTEE DELAWARE TRIBE OF OKLAHOMA,	)	
<u>et al.</u> ,	)	Docket No. 338
	)	
EASTERN SHAWNEE TRIBE OF OKLAHOMA,	)	
<u>et al.</u> ,	)	Docket No. 338
	)	
CITIZEN BAND OF POTAWATOMI INDIANS	)	
OF OKLAHOMA, <u>et al.</u> ,	)	Docket No. 338
	)	
THE PEORIA TRIBE OF INDIANS OF	)	
OKLAHOMA, <u>et al.</u> ,	)	Docket No. 338

THE KICKAPOO TRIBE OF OKLAHOMA, THE	)	Docket No. 338
KICKAPOO TRIBE OF KANSAS, <u>et al.</u> ,	)	
	)	
THE OTTAWA TRIBE OF OKLAHOMA, <u>et al.</u> ,	)	Docket No. 338
	)	
Plaintiffs,	)	
v.	)	
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

ORDER SETTING ORAL ARGUMENT

IT APPEARING to the Commission that the above-captioned set of consolidated dockets is now before the Commission on the question of title and that the plaintiffs in Dockets 27-B, 89, 252, 335 and 338 have, by motion filed on January 29, 1973, moved the Commission for an order setting oral argument on certain of the issues presently before the Commission, and that the defendant, on February 7, 1973, filed a response in opposition thereto, and

IT FURTHER APPEARING to the Commission that oral argument on the issues raised in plaintiffs' motion is desirable,

IT IS ORDERED that oral argument on the issues raised in the plaintiffs' said motion be, and the same is hereby, set for Friday, March 9, 1973, at 2:00 P.M., in the hearing room of the Commission.

Dated at Washington, D. C., this 22<sup>d</sup> day of February 1973.

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

Kuykendall, Chairman, dissenting:

I dissent. This consolidated proceeding has stood submitted on the issues of title since August 21, 1972, and the Commission is already fully advised as to the matters raised by the plaintiffs' motion. Furthermore, counsel for the defendant, who is unfamiliar

with this case, indicated at the calendar conference held before the Commission on February 12, 1973, that he would require approximately six months to prepare adequately for oral argument on the issues present herein. Without judging the accuracy of this estimate, it is clear that defendant's counsel will have to spend a considerable amount of time familiarizing himself with the fully submitted voluminous record in this case. Preparation of a concise and useful argument in such a situation is an extremely difficult task, even for a lawyer who has been in the case over the years from start to finish.

Oral argument might be of some assistance to us but it is not a necessity. This case has been thoroughly briefed and by this process the pertinent facts and applicable law, as each party sees them, have been pointed out to us in writing. We do not have to listen to oral argument in order to be advised concerning them. I commend counsel for plaintiffs in seeking every possible opportunity to advocate their cause before the Commission, but in this situation I would deny their motion. The Commission's overall progress will be retarded rather than advanced by granting it.

  
Jerome K. Kuykendall, Chairman