

BEFORE THE INDIAN CLAIMS COMMISSION

IRA SYLVESTER GODFROY, WILLIAM ALLOLA)	
GODFROY, JOHN A. OWENS, on relation)	
of THE MIAMI INDIAN TRIBE and MIAMI)	
TRIBE OF INDIANA and each on behalf)	
of others similarly situated and on)	
behalf of the MIAMI INDIAN TRIBE and)	
various bands and groups of them)	
comprising the MIAMI TRIBE AND NATION,)	
)	
Plaintiffs,)	
)	
v.)	Docket No. 124-H
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

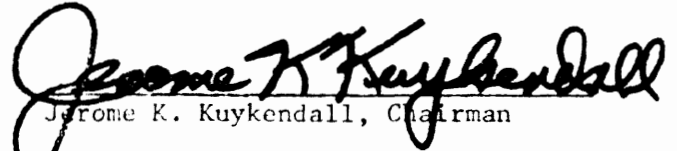
ORDER TO SHOW CAUSE WHY PLAINTIFFS' PETITION
SHOULD NOT BE DISMISSED


Pursuant to the Commission's order of severance and consolidation of claims, dated January 5, 1959, the plaintiffs' claim in this case was separated from the petition in Docket 124-B; set forth in a separate amended petition numbered Docket 124-H that was filed on January 28, 1959; and included with a group of dockets (Docket 15-D, and others) consolidated for purposes of trial to determine the respective interests of the plaintiffs in the lands claimed in their petitions.

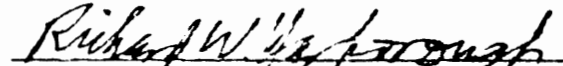
IT APPEARING that the amended petition in Docket 124-H asserts a claim alleged as arising from the cession by the Miami Tribe of Indians under the Treaty of October 23, 1826 (7 Stat. 300), of land within the State of Indiana consisting of approximately three-fourths of the eastern part of Area 98 (Royce, Indiana), that the Miami plaintiffs in Docket 124-H have stipulated, in effect, that they have no compensable interest in this land, that the Commission has determined on the basis of substantial evidence that the land in Royce Area 98 which is the basis of the plaintiffs' claim in Docket 124-H was owned by other Indians than the Miamis and has dismissed the claim of the Miami plaintiffs in Docket 124-H from the aforementioned consolidated group of dockets (The Pottawatomie Tribe of Indians, The Prairie Band of the Pottawatomie Tribe of Indians, et al., Docket 15-D, et al., 30 Ind. Cl. Comm. 42, 110 and 125), and that no viable claim against the defendant remains in the plaintiffs' petition in Docket 124-H, the Commission on its own motion therefore

ORDERS that the plaintiffs in Docket 124-H shall have thirty (30) days from the date of this order to show cause why their petition in this docket should not be dismissed.

Dated at Washington, D. C., this 9th day of January 1974.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner