

BEFORE THE INDIAN CLAIMS COMMISSION

THE CONFEDERATED SALISH AND KOOTENAI)
 TRIBES OF THE FLATHEAD RESERVATION,)
 MONTANA,)

Petitioner,

v.

Docket No. 61

THE UNITED STATES OF AMERICA,)

Defendant.)

INTERLOCUTORY ORDER

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

1. The petitioner, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, is an identifiable group of American Indians and has the authority to maintain this action as the successor in interest to the Flathead, Kootenai (Libby-Jennings Band) and Upper Pend d'Oreille Tribes, parties to the Treaty of July 16, 1855 (12 Stat. 975), and, that
2. The petitioner's predecessors in interest, the Flathead, Kootenai (Libby-Jennings Band) and Upper Pend d'Oreille Tribes, each held original Indian title to the separate tracts of land, the boundaries of which for each tribe are as fully set forth in finding of fact No. 19, and, that
3. The said Indian title of the petitioner's predecessors in interest was acquired by the United States on March 8, 1859, the effective date of the Treaty of July 16, 1855, supra.

IT IS THEREFORE ORDERED, That the case will proceed to a determination of the acreages, of the several tracts (less the reservation set aside by the 1855 Treaty) and the value thereof as of March 8, 1859; and the question of the consideration paid to petitioner, if any, and whether the consideration was unconscionable.

Dated at Washington, D. C., this 3rd day of August, 1959.

Edgar E. Witt

 Chief Commissioner

Wm. M. Holt

 Associate Commissioner