

## BEFORE THE INDIAN CLAIMS COMMISSION

MESCALERO APACHE TRIBE, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Docket No. 22-G
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

ORDER

By motion filed September 19, 1969, the plaintiff requested the Commission, among other things to determine as a matter of law that the defendant owed the duty, through June 30, 1930, of managing funds on deposit to plaintiff's credit in the fund known as "Indian Moneys, Proceeds of Labor" in such manner as to produce not less than 5 percent interest per annum compounded annually. In its prior opinion dated June 10, 1970 (23 Ind. Cl. Comm. 138) the Commission reserved its ruling on this question, ordering the parties to file supplementary briefs. Such briefs have been filed, and oral argument has been held, and the Commission has considered the question. Therefore,

IT IS ORDERED that the plaintiff's question is answered as set out in the opinion accompanying this order.


IT IS FURTHER ORDERED that the attorneys for the parties hereto, accompanied by the parties' accountants together with the attorneys and accountants for the Te-Moak Bands of Western Shoshone Indians of Nevada, plaintiff in Docket No. 326-A, meet at a mutually convenient time and place within 30 days of the date of this order and discuss what further information should be supplied by the Government, and in what form, to enable the Commission to complete adjudication of this case in accordance with the opinion accompanying this order. The parties are further ordered to file with the Commission, within 45 days of the date of

this order, a joint statement summarizing their discussions and stating what is agreed upon and what, if anything, remains in disagreement.

Dated at Washington, D. C., this 4th day of October 1973.

  
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John T. Vance, Commissioner

  
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Margaret H. Pierce, Commissioner

  
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Brantley Blue, Commissioner