

BEFORE THE INDIAN CLAIMS COMMISSION

THE NAVAJO TRIBE,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 69
)	(Claims 1 through 6 and Claim 8)
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER DENYING DEFENDANT'S MOTION FOR FINAL JUDGMENT
OF DISMISSAL OF PLAINTIFF'S EIGHTH CLAIM, AND
DIRECTING THAT PLAINTIFF MAKE AN OFFER OF PROOF

On February 5, 1975, defendant filed a motion for an order granting final judgment and dismissal of plaintiff's eighth claim in Docket 69. Plaintiff filed a response on March 3, 1975.

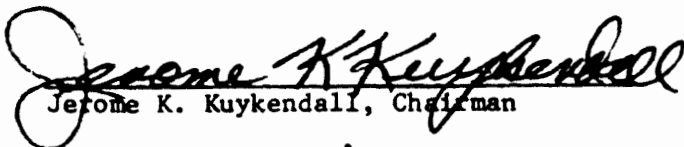
UPON CONSIDERATION of defendant's motion and plaintiff's response, and of the entire record, and for the reasons set forth in the accompanying opinion,

IT IS HEREBY ORDERED that plaintiff's request in its eighth claim for return of its homelands be, and hereby is, denied; and

IT IS FURTHER ORDERED that in all other respects defendant's motion be, and hereby is, denied; and

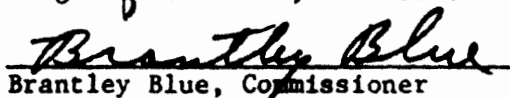
IT IS FURTHER ORDERED that plaintiff make an offer of proof to the Commission, with copies to defendant, on or before July 9, 1975, of evidence tending to show that the 1886 agreement alleged in plaintiff's eighth claim was made, and that the agents of defendant who made the agreement purported to act for and bind defendant, and that they had authority to do so.

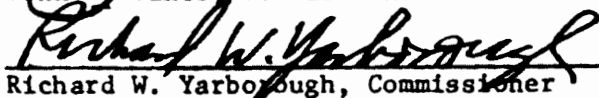
Dated at Washington, D. C., this 28th day of May 1975.


Jerome K. Kuykendall, Chairman


Margaret H. Pierce, Commissioner


John T. Vance, Commissioner


Brantley Blue, Commissioner


Richard W. Yarborough, Commissioner