

BEFORE THE INDIAN CLAIMS COMMISSION

THE LIPAN APACHE TRIBE and bands thereof, ex rel. Pedro Mendez and Philemon Venego;

THE MESCALERO APACHE TRIBE and bands thereof, ex rel. Solon Sombrero, Fred Pellman, Eric Tortilla and Victor Dolan;

THE APACHE TRIBE OF THE MESCALERO RESERVATION on behalf of, or as successor to, the Lipan Apache Tribe and bands thereof, and the Mescalero Apache Tribe and Bands thereof,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Docket No. 22-C

ORDER GRANTING MOTION TO DISMISS

This cause came on to be heard upon the motion to dismiss filed herein by the defendant on the 21st day of November, 1961, directed to the Second Amended Petition filed herein by the petitioner on the 25th day of May, 1959, and the parties having filed their briefs and orally argued the matter before the Commission, and having submitted said motion, the same was taken under advisement, and the Commission being now fully advised in the premises finds, for the reasons stated in the opinion this day filed herein, the motion to dismiss should be granted and the petition dismissed.

IT IS THEREFORE ORDERED AND ADJUDGED that said motion of the defendant to dismiss be, and it is hereby granted and said petition is hereby dismissed.

Dated at Washington, D. C., this 6th day of August, 1965.

Arthur V. Watkins  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner

T. Harold Scott  
Associate Commissioner