

BEFORE THE INDIAN CLAIMS COMMISSION

THE MESCALERO APACHE TRIBE, ET AL.,)	
)	
Plaintiffs,)	
)	Docket No. 22-B
v.)	
)	Docket No. 22-G
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Decided: April 27, 1967

FINDINGS OF FACT ON COMPROMISE SETTLEMENT

This matter was presented to the Commission on April 27, 1967, for approval of a compromise final settlement of (1) the claims in Docket No. 22-B for compensation for the taking by the United States of the lands of the aboriginal Mescalero Apache Tribe located in the present State of New Mexico and (2) the claims in Count I of the petition (Second Amended Petition) in Docket No. 22-G for damages for trespasses on said lands.

The Commission has heretofore determined in Docket No. 22-B in 17 Ind. Cl. Comm. 100 (Findings of Fact Nos. 1-38) the area of land, as described in Finding of Fact No. 37, which the Mescalero Apache Indians aboriginally used and occupied in New Mexico. The Commission further found that the United States took said lands on May 29, 1873, from the Mescalero Apache Tribe without payment of compensation and that the plaintiffs were entitled to recover, on behalf of the Mescalero Apache Tribe, the fair market value of said lands, less any acreage

