

BEFORE THE INDIAN CLAIMS COMMISSION

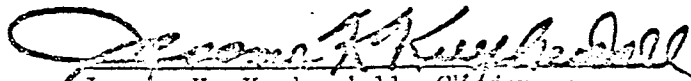
PUEBLO OF SAN ILDEFONSO,)	Docket No. 354
)	
PUEBLO OF SANTO DOMINGO,)	Docket No. 355
)	
PUEBLO OF SANTA CLARA,)	Docket No. 356
)	
PUEBLO OF NAMBE,)	Docket No. 358
)	
Plaintiffs,)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	


ORDER DENYING MOTIONS FOR SUMMARY JUDGMENT

The above-entitled causes came on to be heard before the Commission on November 21, 1969, upon the motions of the plaintiffs for summary judgment holding defendant liable for interest at the rate of 5% per annum on amounts due plaintiffs under the provisions of the Pueblo Lands Act, 43 Stat. 636, at which time said motions were argued by the attorneys for the respective parties and submitted to the Commission and taken under advisement. In support of their motions each of the plaintiffs adopted the argument advanced by the Pueblo of Taos, plaintiff in Docket No. 357-A, in support of its similar motion therein. The Commission now being fully advised in the premises and for the reasons set forth in the opinion in Docket No. 357-A, Pueblo of Taos, 24 Ind. Cl. Comm. 406(1971), concludes as a matter of law, that neither the Pueblo Lands Act, nor the actions of the Pueblo Lands Board in administering said act, constituted a "Fifth Amendment taking" of plaintiffs' lands.

IT IS THEREFORE ORDERED that the plaintiffs' motions for summary judgment herein be, and the same are hereby, denied.

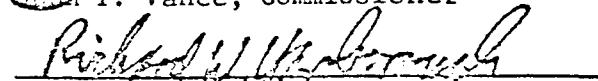
Dated at Washington, D. C., this 10th day of February 1971.


 Jerome K. Kuykendall, Chairman


 Margaret H. Pierce, Commissioner


 John T. Vance, Commissioner


 Brantley Blue, Commissioner


 Richard W. Yarbrough, Commissioner