

BEFORE THE INDIAN CLAIMS COMMISSION

THE FORT SILL APACHE TRIBE OF THE)
STATE OF OKLAHOMA,)
))
THE CHIRICAHUA APACHE TRIBE, EX REL.)
SAM HAOZOUS, BENEDICT JOHZE,)
JAMES KAYWAYKLA, ROBERT GOODAY,)
DAVID CHINNEY,)
))
THE WARM SPRINGS APACHE BAND, EX REL.)
SAM HAOZOUS, BENEDICT JOHZE,)
RAYMOND JOHN LOCO,)
))
THE CHIRICAHUA APACHE BAND, EX REL.)
ROBERT GOODAY, DAVID CHINNEY,)
CASPER CALIO,)
))
Plaintiffs,)
))
v.)
))
THE UNITED STATES OF AMERICA,)
))
Defendant.)

Docket Nos. 30-A, 48-A, 30, 48, and 182

ORDER DENYING "DEFENDANT'S MOTION TO CONSOLIDATE THE
CASES STYLED FORT SILL APACHE, ET AL. v. UNITED STATES,
DOCKET NOS. 30-A, 48-A, 30, 48 and 182"

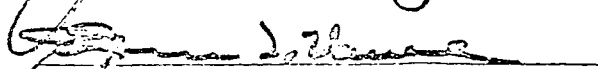
Upon consideration of defendant's motion as captioned above, filed herein on March 10, 1971, wherein defendant seeks to have consolidated the above-captioned dockets so that the Commission may (1) determine a new date of taking applicable to all five cases and (2) determine that the United States cannot be held liable to a tribe under the Indian Claims Commission Act, 60 Stat. 1049, for damages done to land by trespassers before Indian title is extinguished, and,

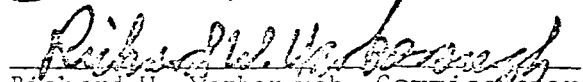
Upon further consideration of (1) the Commission's order in Dockets 30-A and 48-A, dated August 26, 1970, 23 Ind. Cl. Comm. 417, captioned "Order Denying Defendant's 'Motion for Rehearing and Reconsideration of Date of Taking'" and (2) the Commission's decision of October 31, 1969, in the case of Washoe Tribe v. United States, 21 Ind. Cl. Comm. 447,

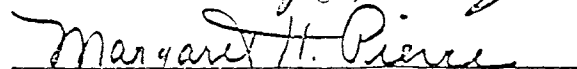
IT IS ORDERED that the motion to consolidate be, and the same hereby is, denied.

Dated at Washington, D. C., this 9th day of June, 1971.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Harborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner