

1 MR. KAMINS:

No, they haven't,

2 Your Honor, but I think they should do it.

3 THE COURT:

Well, we have --

4 you have just heard your own witness call this land about  
5 anything but what you have called it. It comes in here  
6 as a situation where it is neither fish nor fowl to this  
7 court. I can't see a law that's in conflict with the  
8 state law. The constitution is not in conflict with state  
9 law. The treaty -- I disagree with you, not a treaty with  
10 the tribe is in conflict with the state law, so I have  
11 nothing to base the court's jurisdiction on.

12 Now, if you don't have any proof on what the court  
13 is wanting, the court is terminating this hearing and  
14 you may appeal from this, and both of you know the way  
15 to Denver, you have been up there on this before.

16 MR. RINGOLD:

If the court please,

17 for the purposes of the record I want to be sure that  
18 the court's finding on its jurisdiction, or absence of  
19 jurisdiction, is not based on lack of evidence presented  
20 to the \$10,000 --

21 THE COURT:

I'll make my finding

22 on that, I say, when you get through with your evidence.

23 MR. RINGOLD:

We were not certain

24 this morning as to the nature of the hearing and do not  
25 have evidence to support that. It is our position that