

A Glittering Law Suit

ALBUQUERQUE, N.M. (UPI)—The Army won't search for an alleged gold treasure on the White Sands missile range and will stop anyone else from looking for it while a court suit on the matter is pending, Army officials told a federal judge Thursday.

With that assurance, United States District Court Judge Howard Bratton denied a state motion for a preliminary injunction to prevent the Army from further activity in connection with the treasure, valued at as much as \$250 billion.

Attorney General David Norvell filed the suit against the Army earlier this month after Army Secretary Howard Callaway refused to grant the state access to the missile range.

Norvell contended that the state had an ownership interest in the treasure

since it allegedly is located on state land inside the range and said a state-appointed receiver was entitled to take possession of the treasure until various ownership claims are settled.

After Bratton ruled on the motion Thursday, Norvell said although the preliminary injunction request was denied, "The Army relented to what we had requested and that is not to allow anyone else to go in and look for the treasure."

Bland West, deputy general counsel for military and civilian affairs for the Army, said in response to a question from Bratton the "Army is not looking for any gold and never will be."

West said the Army would prevent gold hunters from entering the range as long as the state suit was pending.

The deputy counsel also testified the Army stopped an effort to give treasure claimants an equal chance at finding the gold hoard because it believed the state was giving preferential treatment to an anonymous group represented by Boston lawyer F. Lee Bailey.

Citing an agreement between the state and the Bailey group which would give the state 25 per cent of any treasure, West accused Norvell and other state officials of a "continuing effort to get the Bailey group in there before anyone else."

He also testified a mining company explored the area around Victorio peak, where the treasure reportedly is located, for two months in 1963 and found no proof of the existence of the gold.

For this reason, he said, the Army doesn't believe there is any treasure there.