

BEFORE THE INDIAN CLAIMS COMMISSION

THE CREEK NATION,)
)
 Plaintiff,)
)
 v.) Docket No. 273
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)


ORDER ON MOTIONS TO DETERMINE ISSUES

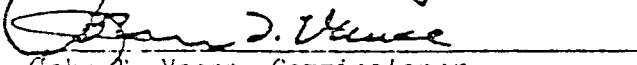
Upon consideration of the pending Motions to Determine Issues and the documents and memoranda in support thereof, and for the reasons set forth in the concurrent Opinion this date issued, it is

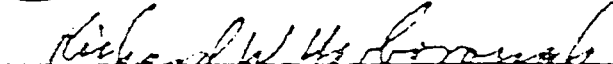
ORDERED, That the issues to be litigated in the case at bar are

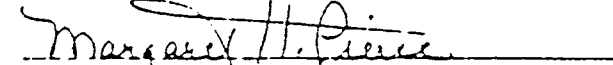
1. Whether the half-price conditions contained in the Creek Agreement of 1901 (31 Stat. 861) were imposed by the defendant upon the plaintiff without conscionable consideration, or otherwise inequitably, or without adherence to the principle of fair and honorable dealings; and
2. The fair market value of each of the townlots selected at half-price under the above Creek Agreement and appraised by the several appraisal commissions.

Dated at Washington, D. C., this 9th day of September, 1970.


 Jerome K. Kuykendall, Chairman


 John T. Vance, Commissioner


 Richard W. Farborough, Commissioner


 Margaret H. Pierce, Commissioner


 Brantley Blue, Commissioner