

BEFORE THE INDIAN CLAIMS COMMISSION

THE CREEK NATION,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 169
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

Upon the findings of fact and opinion this day filed herein and which are hereby made a part of this order, the Commission concludes as a matter of law that:

1. The plaintiff herein has the legal capacity to bring this suit under section 2 of the Indian Claims Commission Act of 1946 (60 Stat. 1049).

2. It is established by the record that the defendant acted unfairly and dishonorably toward the Creek Nation in refusing to give the Creek Nation copies of the approved Creek rolls during the enrollment period and, further, having knowledge of the conditions existing in the Creek Nation during the period of enrollment and allotment, in not taking other precautions, reasonable in light of its duty to the Creek Nation, to prevent erroneous enrollments.

IT IS THEREFORE ORDERED that the case proceed to a determination of the damages, if any, suffered by the Creek Nation by reason of the defendant's failure to act fairly and honorably towards the Creek Nation.

Dated at Washington, D. C. this 14th day of December, 1970.

Jerome K. Kuykendall
Jerome K. Kuykendall, Chairman

John T. Vance
John T. Vance, Commissioner

Richard W. Yarborough
Richard W. Yarborough, Commissioner

Margaret H. Pierce
Margaret H. Pierce, Commissioner

Brantley Blue
Brantley Blue, Commissioner