

Jackson, is an enrolled member of the Warm Springs Tribes. Your mother had four children, one enrolled at Yakima and the other three at Warm Springs. She has extensive Yakima property holdings, some at Warm Springs. In the absence of any title transfers during her lifetime and regardless of a will, the Yakima property will all descend to the one Yakima heir, the Warm Springs property to all four children. If she leaves a will, the will can only be operative in so far as the Warm Springs properties are concerned. Since there are vast differences in property values, the Yakima heirs' inheritance will far exceed the value of the Warm Springs properties, thus creating a gross inequity.

The following examples taken at random from the Warm Springs files set forth clearly some of the inequities we have discussed, see attachment.

Example 1.—The Warm Springs heirs inherit trust property valued at \$420 (the Warm Springs heirs are also heirs at law, or natural heirs). The Yakima heirs (in 5th degree) inherit lands valued at \$3,270.

Example 2.—The Warm Springs heirs inherit trust property valued at \$60.00 (the Warm Springs heirs are also heirs at law, or natural heirs). The Yakima heirs inherit lands valued at \$15,106.66.

Example 3.—The Warm Springs heirs inherit trust property valued at \$1,224.83 (the Warm Springs heirs are also heirs at law, or natural heirs). The Yakima heir (in 5th degree) inherit lands valued at \$15,182.47. The operation of the Act omits five Warm Springs heirs and leaves the Yakima property all to one Yakima heir in the 5th degree.

From the examples, one can readily see the inequities discussed herein above. The acerages of land are not shown.

Many legal minds advise that the Yakima Act of August 9, 1946 (60 Stat. 968) has proven to be unconstitutional in its operation. Amendatory action has been and is seriously needed.

Sincerely yours,

_____,
Superintendent.

[Attachment]

Example 1.—Alice Scott (Daisy Heath Clydehawks), Yakima Allottee No. 1539

Heirs at law:

Walter Heath, Warm Springs unal	-----	Son.
Roy Heath, Warm Springs unal	-----	Do.

Value of Warm Springs property: \$420.

Heirs to Yakima property: (Probate No. 9164-60) —

Louis (Louie) Sweowat, first cousin (5th degree)	-----	1/4.
Gilbert Sweowat, first cousin (5th degree)	-----	1/4.
Johnson (John) Sweowat, first cousin (5th degree)	-----	1/4.
Lillian S. Sawyahllil, first cousin (5th degree)	-----	1/4.

Value of Yakima property: \$3,270.

Example 2.—Hattie Mosstocken (Hattie Charley, Hattie Yallup or Hattie Wolfe), Yakima Allottee No. 4448

Heirs at law:

Agnes Yallup Heath, Yakima Unal	-----	Daughter.
Lucy Wolfe, Warm Springs Unal	-----	Do.
Eva Wolfe Ike, Warm Springs Unal	-----	Do.
Matilda Wolfe, Warm Springs Unal	-----	Do.
Esther Wolfe, Warm Springs Unal	-----	Do.
James Wolfe, Warm Springs Unal	-----	Son.
William Begay, Yakima Unal	-----	Grandson.
Helen Begay, Yakima Unal	-----	Granddaughter.

Value of Warm Springs property: \$60.

Heirs to Yakima Property: (Probate No. 2729-58) —

Agnes Yallup Heath, daughter	-----	2/4.
William Begay, grandson	-----	1/4.
Helen Begay, granddaughter	-----	1/4.

Value of Yakima property: \$15,106.66.