

STATEMENTS

You have had handed to you a statement by Mrs. Ruby Dean Leno. Mrs. Leno is an enrolled member of the Yakima Tribes, her children are not enrolled, is a knowledgeable person and has for several years been attempting to resolve her situation since her children will not inherit her property. Mrs. Leno has resolved to sell her interests. She has been advised the sale will require time to consummate. During this period she has no protection in the rights of her husband and children to benefit in her estate in event of death.

The statement of Mrs. Dorothy Quaempts Ike Cassaway refers to 21 trust interests in Yakima property. Mrs. Cassaway has been attempting the past year to convey a part of her Yakima interests to her Warm Springs children. She has found the gift conveyance procedure time consuming and expensive.

Mrs. Hazel Queahpama Tewee has been concerned since she had the provision of the Yakima Act explained to her. She is only one of many who have not realized how effectively the Act operates to limit her heirs in her Yakima property.

Mrs. Irene Quaempts Queahpama Hernandez is also concerned and has been assessing the processes and actions necessary to secure her Yakima interest to her children.

Three of the above have retained their original trust allotments in addition to other trust Yakima rights and interests.

The two examples attached speak for themselves. No. 1 outlines the family history in a Yakima probate case wherein 16 living blood heirs are denied the right to inherit in the estate, while the entire estate passed to an adopted son not of the family blood. The 16 are not enrolled Yakimas who do not qualify because of residency, blood quantum or other reason.

Exhibit No. 2 Warm Springs Allotment No. 317, Nellie Whitley, deceased, is an example taken from one of the current Warm Springs Tribal acquisition cases. It is an illustrative of multiple ownerships and the related problem. This example reflects the difference in the basic principles involved; i.e. the Yakima containment by arbitrary denied of inheritance by any except Yakima enrolled persons as opposite to the functional normal rights of inheritance followed by an equitable extinguishment of the ownership in favor of the Warm Springs Tribes. The Yakima procedure appears morally and constitutionally unjust, the Warm Springs process requires financing and funding but is nevertheless fair and constitutional. The owners then benefit by an American, democratic process in their inheritance right.

There should be added to the Departmental letter of July 7, 1967 under the statistics section, "Escheated to Yakima Tribes, four cases."

There are enclosed for your reference, copies of Agency letters of January 23, 1968, May 4, 1967, and related attachments, three statements by Yakima enrollees, and Examples 1 Yakima case and 2 Warm Springs cases.

The goal of containment of reservation interest and property ownership is ideal, the method of containment in an equitable manner is the problem that confronts us.

Sincerely yours,

_____, *Superintendent.*

Senator McGOVERN. We will now hear from Mr. Jackson.

Mr. JACKSON. Thank you, Senator McGovern.

It is indeed a pleasure to appear before you and discuss these problems we are now facing. But, first, I want to say that personally we do not have anything against the Yakimas. They have called us blood brothers, and we in turn have called them the same way. We celebrate the same celebrations, we enjoy the competitive sports with them, basketball, bowling, baseball, but we all abide by the same rules in those things.

When it comes to this, the enjoyment or the fine relationship seems to part. It is just because of this one section in the law.

Now, the first of these examples I want to discuss concerns a Yakima enrollee. Her name is Alice Scott, and ended up as Daisy Heath Clyde-hawks. She had two sons who are unallotted. She had some Yakima property, but she also had four relatives enrolled at Yakima but not