



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR

Post Office Box 1508
Muskogee, Oklahoma

June 10, 1963

*Int.
Indians*

Mrs. Pauline Greenleaf now Hemphill ✓
West Star Route
Checotah, Oklahoma

Re: W.S. Sessions v. Pauline Greenleaf now Hemple;
District Court of Okfuskee County - No. 13754

Dear Mrs. Hemphill:

Your letter of May 31, 1962, addressed to Senator Monroney, was referred by Senator Monroney to the Bureau of Indian Affairs at Muskogee, Oklahoma, and they in turn have referred said letter to this office and the undersigned, inasmuch as this partition suit is pending in one of the counties assigned to the undersigned.

As was explained to you on May 21st, 1963, you were the only heir of one-half or more Indian blood of the late Taylor Greenleaf, Full Blood Creek Roll No. 497. I am sure that you recall the very extensive litigation in the County and District Courts of Muskogee County regarding the creditor's claim of W. S. Sessions, with every decision of said Courts ruling that the creditor's claim of W. S. Sessions was valid and legal. Inasmuch as the Bureau of Indian Affairs refused to pay any money to Mr. Sessions, I can assure you that the Administrator of the Estate not only had the right, but had the duty as imposed by the laws of the State of Oklahoma to sell the unrestricted portions of the estate in an Administrator's sale to meet the obligation of this creditor's claim.

As was explained to you on your last visit to this office, the undersigned personally protested the order of the County Court directing the Administrator to sell Lots 1 and 2 of Section 31 in Township 12 North, Range 7 East, inasmuch as these two lots were a portion of the original Creek allotment of Taylor Greenleaf, and the 1/4th interest which you inherited was restricted in your hands and could not be sold by the Administrator. We were successful in this and the County Court thereupon amended its order exempting your 1/4th interest from an Administrator's sale. The other 3/4ths interest was inherited by heirs of Taylor Greenleaf, all of whom were of less than one-half degree Indian blood, or were of no Indian blood whatsoever.

The United States Congress, by its Act of June 14, 1918, allowed inherited lands of members of the Five Civilized Tribes to be partitioned in accordance with the laws of the State of Oklahoma. The present partition case in Okfuskee County specifically states that you are the owner of an undivided 1/4th interest. As explained to you, you will receive 1/4th of the proceeds of any sale that may result from this partition suit. This office does not have the authority to represent unrestricted Indians, or persons of no Indian blood, and, consequently, we are not in a position to contest the ownership of the Plaintiff in this case, since he apparently acquired same after an Administrator's sale of the unrestricted 3/4ths interest.

The laws of the State of Oklahoma do not forbid a partition suit of producing minerals. Since you are not a minor child or a wife of the allottee, there are no legal grounds on which to protest this partition suit.

Unless you specify otherwise, the undersigned will file an answer in this partition suit on your behalf and, if the appraisal by the Commissioners to be appointed by the District Court of Okfuskee County is less than the appraisal made by the Bureau of Indian Affairs, will force a public sale of this land in Okfuskee County. The District Court will thereupon conduct a public sale, which will be advertised, and will approve this sale to the highest bidder, if the amount bid is at least 2/3rds of the appraisal of the value of said land, all of which is in accordance with Oklahoma law.

Sincerely yours,

Harold M. Shultz, Jr.
United States Trial Attorney

cc: Hon. Mike Monroney, United States Senator (w/orig. letter from Mrs. Hemphill)
Bureau of Indian Affairs
Regional Solicitor, Tulsa

HMS:ejt

June 3, 1963

Mrs. Pauline Greenleaf Hangnail
WSR
Checotah, Oklahoma

Dear Mrs. Hangnail:

I wish to acknowledge receipt of your letter concerning the estate of Taylor Greenleaf, a matter about which we corresponded in October 1961.

The Bureau of Indian Affairs is being requested to check into the matter, and give me a report as soon as possible., When it is received, it will be forwarded promptly to you.

With best regards and good wishes, I am

Sincerely yours,

5-31-1962

Hon. Senator Marmorey

I am writing you concerning the Estate of Taylor Gunkle Creek Indian Roll No. 4970 as a child of his I received $\frac{1}{4}$ share of the estate. Now I am being sued by W.S. Senior for a partition of land as he claims he owns the other $\frac{3}{4}$ undivided parts which was sold by the administrator to him.

All these deals & transactions have been kept a secret from every one concerned. How can a Administrator do these things when all claims have been paid from the estate which was legal. He is being frauded,

stole from + robbed by these
two men E. W. Warner Admin.
and W. S. Senior. Our inheritance
is what both are after.

We hope there is some way to
prevent this until we can understand
why or how can these things be
we don't owe him. We all have
been receiving Royalty payments
from said Estate direct from the
Company. I don't see why it
could belong to him. A small
investigation will prove that it
is fraud + swindle. I would
appreciate your help or advice.
There is ~~not~~ sufficient law in
the Dept. of Indian Affairs which
is here proof to prove there
is fraud + swindle involved.

63)
I am now need your help &
Others with Authority To
Thrush This Scheme Out.
I Thank you, And Appreciate
all that will be did in a
~~inquire~~ Inquiry or
investigation.

Yours Truly
Pauline Gertrude Hengstall
W.S.R.

Chucateh, Okla.

JUN 6 8 35 AM '63