

Mr. O'Field's value on the property, is that a value in your opinion and in what you mean in the paragraph, is that a value of an individual in a sense that he is not a member of the Cherokee people?

Mrs. E.: He is just an individual, his tribe and his relationship with his ways has nothing to do with it, he's an individual. If he were not competent you might consult somebody else, but to me he is a competent individual.

Mr. T.: In other words, in a fair sense of this paragraph is to ignore the class to which Mr. O'Field belongs, that is, that he is a member of the Cherokee people?

Mrs. E.: Why of course.

Mr. T.: In the last paragraph on another page, which is section 331.51 the department's manual it states: the client is responsible for taking all steps necessary to convert the resource, etc. for use in meeting current needs. In this sentence what in the case of Mr. O'Field he is the resource?

Mrs. E.: His excess property.

Mr. T.: What is the amount of his excess property?

Mrs. E.: 82 acres.

Mr. T.: And how do you determine that is what you call excess?

Mrs. E.: He has 120 acres. According to our policy a family is allowed their home and an acre.

Referee: I think rather than make a paraphrase of this since this is pertinent to the case Mrs. Evinger, read into the record the department's policy that your referring to.

Mrs. E.: This is from our Manual Section 321.51 the date is 11-1-68, it is page 4 in the Real Estate part A the second paragraph. : Real estate owned and directly available with shelter shall not be considered as a capital resource available for maintenance if it is 40 acres or less in extent and has a market value not to exceed \$8,000. If the client owns property jointly with someone else, the cash value of his share only shall be considered.

Mr. T.: Mrs. Evinger, in the statement of Mr. O'Field you have followed the procedure set out by the manual of the Department of Welfare, is that right?

Mrs. E.: Well, I tried to.

Mr. T.: Do you know of any occasion in which you have not?

Mrs. E.: Well, there are bound to be mistakes but we try to correct them as soon as they are discovered.

Mr. T.: Has there been any mistakes in the treatment of Mr. O'Field under the manual?

Mrs. E.: As far as I know there are none.

Mr. T.: So to your best knowledge, your treatment of Mr. O'Field has been that required by the Department of Welfare Manual?

Mrs. E.: Yes sir.