

In addition to confirming the equalization rule laid down by the Pierce case, supra, the Equalization Act of September 21, 1959 (73 Stat. 602, 25 U.S.C. §§ 951 et seq.), provided:

The Secretary shall request the appointment of a guardian of the estate of all minor allottees and for those adult allottees who in his judgment are in need of assistance in handling their affairs in accordance with applicable State laws before making any equalization allotment or payment to such persons. Section 4.

The regulations promulgated to implement this section provided for appointment of conservators as well as guardians (25 CFR 124.5) apparently for the purpose of authorizing utilization of the California conservatorship law adopted in 1957.

Guardians had been appointed for many minors prior to this act, with approval of the Bureau of Indian Affairs, because of concern about the dissipation of minors' funds by some parents. One conservatorship had been established for an adult Indian prior to the act. Thus, the provisions of Section 4 of the Equalization Act were in accord with existing practice. Exhibit 1.

Some 5,000 acres of the approximately 31,000-acre reservation had been allotted prior to the passage of the 1959 Act. Approximately 24,000 acres were allotted after 1959; the remaining acreage was retained in tribal ownership. Upon completion of the equalization process, each of the 104 members of the Band who were allotted wound up with lands having a minimum value of approximately \$335,000.

In implementing Section 4, although it appears that the program was explained to the Indians and that they were informed of their