

of the majority of the estates of the Agua Caliente Indians has been assigned to Judge Hilton H. McCabe (former Superior Court Judge, Riverside County, California) and Judge Merrill Brown (present Superior Court Judge, Riverside County, California). They were responsible for the appointments of most of the guardians and conservators who have represented the Indians. Judge McCabe is now a Justice of the State Court of Appeals, San Bernardino, California.

a. Judge Hilton H. McCabe

Following the establishment of the guardianship and conservatorship program for the Indians, Judge McCabe, who took over judicial administration of the system, was in position to formulate the policies and practices adopted for its operation. He not only appointed the original groups of fiduciaries but sat in judgment on their requests for fees. Obviously, if Judge McCabe had seen fit to do so, he could have set excellent precedents and guidelines. It is unfortunate that he did not.

(1) While serving as Superior Court Judge at Indio and sitting on most guardianship and conservatorship matters involving Indian estates, Judge McCabe apparently encouraged the attorneys for the estates to get the wards to make wills, letting it be known that he was available and willing to serve as executor. Exhibit 16.

Review of 27 wills of living Palm Springs Indians on file in the office of the Examiner of Inheritances at Phoenix revealed that Judge McCabe is named as first executor in ten. James Hollowell was the scrivener of nine of these wills. Every