

Celia Hopkins and was anxious to distribute assets. This could not be done until a guardian was appointed for Joseph Christopher Patencio, a distributee under the Hopkins will. This matter is discussed further under Section II. C. 2. a., p.29 , infra.

(3) Another instance of Judge McCabe's acting in two incompatible capacities occurred when he ruled upon a petition granting an Indian estate authority to purchase property from the estate of a decedent (Lawrence Crossley) while he was serving as co-conservator for the widow and principal beneficiary. Exhibit 19.

(4) Judge McCabe made known to Bureau personnel that he did not favor advising Indians of their rights to nominate persons of their choosing as conservators and guardians.

Although such determinations are beyond our ken, we believe that the activities of Judge McCabe should be reviewed by appropriate authorities for compliance with the Canons of Judicial Ethics, particularly 4, 20, 22, 23, and 25. Exhibit 20.

b. Judge Merrill Brown

(1) In early 1967, Judge Brown attempted to effect a sale of some land which he owned to an Indian conservatorship estate which was subject to his supervision as Judge of the Superior Court.

On March 7, 1967, James Hollowell, as attorney for Lew Levy, conservator of the Estate of Shirley Ann Kitchen, filed a petition with the Superior Court for authority to purchase certain lands belonging to Judge Brown. The petition did not disclose the fact that the lands were owned by Judge Brown. It recited that the