

Congress, share that responsibility, and I think it's only fair to acknowledge it.

Mr. HOLLOWELL. I think that's very fair. I think you're going to find that Indians are extremely individualistic and you are probably going to have to put the legislation that will not please everyone. Indians are no different than we are.

Mr. EDMONDSON. Now, Mr. Hollowell, I have read your statement and listened to it, and I have not found in it, or heard—perhaps I missed it—any response to one of the charges that appears in the task force report that all of us on this committee have discussed and consider very significant. I want to read it to you, and ask you to comment on it. It appears on page 28 of the report.

As stated above, Hollowell prepared nine of the 10 wills in which Judge McCabe is named executor and some of the Indians indicated that Hollowell did not make clear to them the import of the executor clauses. Hollowell kept McCabe advised of the preparation of wills in which McCabe was named executor.

Now, is this something that you would like to comment on at this time?

Mr. HOLLOWELL. I'd love to. I didn't want to go into it in detail. No. 1, I came into the interim picture in October of 1961, and right about that time, Judge McCabe had a large conference in Indio in his new courtroom to which the attorneys were not invited, where he covered 17 or 18 points in regard to the Indians. One of these was making wills. I didn't know anything about the procedure on Indian wills, so I immediately got hold of Ray Jackson, our then director, and Ray forwarded on to me a letter of instructions on how the Bureau would like an Indian will. I, therefore, prepared a large number of wills for some of my Indian clients, all of these wills being submitted to the Phoenix office of the Bureau of Indian Affairs where they were to be approved as to form by the Bureau. If the will—I didn't always make it the first time. Sometimes they'd find something wrong and send it back, but after the will was approved, I was then, according to the Bureau policy, to mail a copy to the local office of the Bureau and one to Sacramento, which I religiously did.

The wills that Judge McCabe figured in all popped up in about 1962. At that time—we've been wrestling with the Bureau since 1962—in talking to the individual Indians. I find them very much like other people, and when we got to the executor, they say, "What's that?" and I tried my best to explain that "He's the fellow who has to gather up the assets and administer the estate," and I explain specifically in every case, as I do in my regular practice, that the executor is paid and he's paid statutory fees which were based on a percentage in California. I would ask, as I do with all my other clients, "Who do you want for executor?" and most of my people—well, practically all, I would say, said, "I don't know," and this is not just an Indian; it's quite common. I suggested Judge McCabe because he was an excellent administrator, one whom I felt knew more about the files and regulations and the complexities and the whole miserable overlapping field than anyone else, and at that time, Judge McCabe was loved and liked and respected by our local Indians.

Now, this didn't last forever. In a subsequent year, a little book called "The Golden Checkerboard" came out and this is about the