

Mr. EDMONDSON. Were you attorney for Mr. Melrose for his estates when he was conservator?

Mr. HOLLOWELL. Yes, sir; I was.

Mr. EDMONDSON. And, do you recall if Mr. Melrose had some hand in KDES?

Mr. HOLLOWELL. Yes; I believe so.

Mr. EDMONDSON. To clear the record in two estates rather than one, if the record is clear on that, the exhibits contain an exhibit which shows that you operated as attorney for Mr. Spiegelman in the Andreas estate——

Mr. HOLLOWELL. That's right, sir.

Mr. EDMONDSON (continuing). Which also was involved in the KDES right-of-way.

Mr. HOLLOWELL. That is the lease portion. There are two other parcels of Indian land between that and Vista Chino Street. Yes; I drew that lease, every page of it.

Mr. EDMONDSON. So, there is both a lease and also a nonexclusive easement for the purpose of ingress and egress to KDES across the premises of Andreas' estate?

Mr. HOLLOWELL. Yes, sir.

Mr. EDMONDSON. So, there were two other Indian estates from which something of value was obtained for KDES?

Mr. HOLLOWELL. Yes, sir.

Mr. EDMONDSON. I must say, Mr. Cleary, that kind of clouds up a little bit your explanation of the situation.

Mr. CLEARY. I did not intend to mislead, but I do wish to draw the court's attention to the fact that parcel B, according to Mr. Hollowell, the negotiations therefor were carried on by the conservator and not Mr. Hollowell.

Mr. EDMONDSON. I understand that.

Mr. CLEARY. And, in response to the report's comments on the individuals involved, the report says that, and I quote the report referring to Judge Hilton H. McCabe, page 22, "He not only appointed the original groups of fiduciaries but sat in judgment on their requests for fees." This is an inaccurate statement. "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." That is a totally unwarranted conclusion, and the most vilifying statement of a man who devoted such a great deal of attention, time, and energy to the establishment of this program.

If any one individual in the desert is to be credited for the establishment of this program and for the conversion of this band of Indians from a destitute group of individuals into the wealthy individuals that they are today, that credit should be given to Judge McCabe.

You have in front of you a transcript of the conference that was held in 1958 in which the problems facing the Indians were presented to the public at large, and the Bureau, many of whom were in attendance, as we were prospective conservators, conservatees, and guardians. He had meeting upon meeting with members of the tribal council and members of the local Bureau, as well as members of the various businesses trying to get them interested in helping the Indian out of his very sad plight in which he found himself.