

the land before it was acquired, and Judge Brown made it very clear that he would sell it at no price other than his own asking price. As soon as Mr. Levy indicated that he had a willingness, at least an open-mindedness about the acquisition of the property, the judge contacted the Bureau and said he had some land he wanted to sell and asked for the Bureau to appoint an appraiser. The Bureau did appoint an appraiser, the appraiser did confer with Judge Brown, and the appraiser's statement is in the file presented by the association in which he specified that in a meeting with Judge Brown, Judge Brown very definitely told him he owned the property, the appraiser must have known Judge Brown owned the property otherwise the appraiser wouldn't have gone to Judge Brown.

Mr. EDMONDSON. That same piece of evidence contains the allegation—I don't know whether it's so or not—that Judge Brown handed a proposed report to him that included a dollar figure for a per-acre value to be found by the Bureau.

Mr. CLEARY. I didn't notice that in the report, sir.

Mr. EDMONDSON. You did not notice it?

Mr. CLEARY. No. If you will direct my attention to it, sir——

Mr. EDMONDSON. I'll see if I can find it. Page 25.

Mr. CLEARY. Pages 25 and 26.

Mr. EDMONDSON. On page 26:

Mr. Jenkins stated upon interview that he was disturbed by the apparent attempt by Judge Brown to conceal ownership of the land. He stated that during a court ceremony at Indio on March 22, 1967, Judge Brown handed him a handwritten draft of a proposed letter from the Bureau of Indian Affairs to a title company expressing Bureau approval of the purchase of the land at \$1,800 per acre.

Mr. CLEARY. Two things I don't—one, I don't know how Mr. Jenkins could have been shocked at any purported attempt to conceal ownership, because Mr. Jenkins must have been the man who called upon the appraiser to talk to Mr.—Judge Brown, so somewhere in here, there is something missing. If Mr. Jenkins didn't get the appraiser down here from Washington, who did? And, how did he know to go see Judge Brown?

Mr. TUNNEY. Wasn't this the land that was described by boundaries and not by owner?

Mr. CLEARY. Yes, sir; the petition to the court did not set forth that Judge Brown was the owner, but——

Mr. TUNNEY. So that, if the Bureau, for instance, had contacted the Washington office and asked them to send down an appraiser, if that had not appeared in the court record, he would be unaware of it, is that right?

Mr. CLEARY. No, sir; it would appear in the Bureau's records.

Mr. TUNNEY. It did appear in the Bureau's records?

Mr. CLEARY. Yes. The Bureau knew that Judge Brown owned the property, the prospective principal——

Mr. TUNNEY. When did they find out?

Mr. CLEARY. Before the appraiser came to talk to Judge Brown.

Mr. TUNNEY. Does that appear in the records?

Mr. CLEARY. In the record it appears that the appraiser talked with Judge Brown on March 17. This was before the—any court hearing was scheduled, as I recall the facts.