

ANTAGONISMS RIFE OVER INDIAN POLICY

Methods of Bureau Head Called Arbitrary and Harmful to Advance of Tribes

TWO RESIGNATIONS CITED

Veteran Officials Quit Service in Dispute Over Program—McCarran Link Charged

This is the second of three articles on the plight of the American Indians and how it has been handled by the Government and Congress.

By ANTHONY LEVIERO

Special to THE NEW YORK TIMES.

WASHINGTON, Nov. 1 — In his administration of the Bureau of Indian Affairs, Commissioner Dillon S. Myer has been accused of arbitrary methods that were reversing the advance of the Indians toward complete self-reliance and delaying the end of their paternalistic supervision by the Government.

Furthermore, the resignations of two experienced Indian Service officials in the last year still are stirring resentment and controversy. . . .

Despite the welter of accusations pitched one way or another, it is plain that Mr. Myer has antagonized many nonofficial friends of the Indians and many of the Indians themselves. . . .

Petitioners Limited

The reference to his refusal to let Indian delegations come to the capital involves a current controversy involving the Pyramid Lake Paiutes of Nevada, who wished to send six persons to petition for approval of their contract for the services of a lawyer, James E. Curry of Washington. Mr. Myer said he would permit only two to make the trip because the tribe's treasury had only \$6,700, a figure that Mr. Curry disputes.

But three have made the trip, the third on funds lent by the Association on American Indian Affairs of New York.

On this issue, as on other complaints, the Indians and their supporters contend that they should control their own money, should be allowed to come here as they please if they are to enjoy the right of petition, and should have a larger measure of self-rule generally if they are to assume their full status as citizens.

NEVADA INDIANS MAKE PROTEST IN WASHINGTON



Delegation from the Pyramid Lake Paiute Tribe with the attorney they seek to hire. Left to right are Elizabeth R. Roe Cloud, field secretary of the National Congress of American Indians; Mrs. Ruth Muskrat Bronson, executive director of the Congress; Warren Toby, a member of the Pyramid Tribal Council; Avery Winnemucca, chairman of the Tribal Council; James E. Curry, attorney, and Albert Aleck, secretary-treasurer of the tribe. The group was in the capital last week. The New York Times

Called Tool of McCarran

Mr. Myer has been described as "a blundering and dictatorial tin-Hitler" by Harold L. Ickes, former Secretary of the Interior, who had applauded Mr. Myer's appointment. Mr. Myer also has been accused of being a pliant tool of Senator Pat McCarran, Democrat of Nevada, who is not regarded as a particular friend of the Indians by many of those involved in current disputes.

The circumstances surrounding the resignations of Willard W. Beatty, Director of the Education Division of the bureau, and of Mr. Fryer, who had been superintendent of the Paiute Reservation in Nevada, illustrate both the Commissioner's ideas of handling people and the administrative practices that, his critics say, he esteems above human factors. . . .

Mr. Fryer's transfer came after a conversation between Commissioner Myer and Senator McCarran that touched on several other matters. The Commissioner has explained to his superiors that he made no commitment to the Senator and that it was a "coinci-

dence" that the transfer occurred when it did.

In the Paiute land case, the Supreme Court in 1944 upheld the Indians' claims of ownership to about 300 acres against three families of white people commonly referred to as "squatters," although they or their predecessors had been on the land since 1861, thus raising serious issues of title.

The high court's mandate has not yet been carried out. Since 1944 Senator McCarran has been introducing special bills that would authorize the sale of the disputed land to the white settlers, but friends of the Indians have kept friendly Senators alerted to object to them. At the Interior Department it was said that the Justice Department had delayed carrying out the Supreme Court mandate in order to seek a negotiated settlement. Several weeks ago, Mr. Myer said he finally had authorized the Justice Department to serve notice of trespass on the white families. . . .

Two Capital Hearings Set to Air Rules for U. S. Indians' Lawyers

By ANTHONY LEVIERO

Special to THE NEW YORK TIMES.

WASHINGTON, Nov. 8.—Oscar L. Chapman, Secretary of the Interior, said today that he would conduct a public hearing in the controversy over proposals to control lawyers who represent Indian tribes. A special committee of the American Bar Association, meanwhile, assailed the majority of the proposals.

Senator Clinton P. Anderson, Democrat of New Mexico, announced that he would conduct a subcommittee inquiry into the issue. He expressed concern over the scope of the activities of some tribal lawyers and over the trend of multiplying Indian claims, which are drawing millions from the Treasury.

There also were official indications today that the tribal lawyer question might broaden into a re-examination of Federal Indian policy to determine whether a comprehensive approach was being made to the ultimate goal of emancipating approximately 435,-

000 Indians after 127 years of Federal wardship. . . .

Commissioner Under Attack

Secretary Chapman said he would open his departmental auditorium to all individuals and organizations and preside at a hearing on the proposed regulations, which have focused criticism on Dillon S. Myer, Commissioner of Indian Affairs. Mr. Myer has been under fire for months from lawyers and organizations on Indian affairs for delaying approval of lawyer contracts, some for more than a year, and for the restrictions he has promulgated.

Mr. Chapman will set a date for the hearing probably within six weeks. If necessary, he added, he will conduct a seminar for two or three days before acting on the pending rules. . . .

The Bar Association's committee agreed that the regulations should not be put in force unless they were modified considerably. The

committee consisted of Rufus G. Poole, chairman; Isadore G. Ark, John H. Pratt and Percy H. Russell Jr. All are Washington lawyers but none ever has represented tribes. . . .

Transfer of Authority Asked

The committee added: "The committee believes that it is in the best interests of the Indians, and consistent with the long-standing Congressional policy of their gradual emancipation, for the Secretary of the Interior to permit the unorganized tribes to negotiate freely with counsel and to approve the contracts arrived at through such negotiation if they comply with statutory requirements, the attorney is competent and reputable, and the fees fixed are fair and reasonable." . . .

Among the committee's major conclusions were: 1. With respect to organized tribes (those having a constitution and by-laws), the Secretary of the Interior has no authority to require that contracts between tribes and their attorneys be approved by him. Nor has he the authority to make these requirements contained in the pending regulations: That the Indian Commissioner has the power to terminate a contract and to prescribe how attorneys'

expenses are to be reimbursed; that attorneys submit periodic reports of their activities in behalf of tribes.

2. The Secretary of the Interior has the authority to approve the choice of counsel and the fixing of fees. To enable him to perform this function he may promulgate regulations requiring information on the work to be performed by attorneys, the duration of the contract, whether the attorney will do the work himself or will have associate lawyers, and the amount and nature of the fee.

3. While the Secretary has authority to prescribe the proposed regulations for unorganized tribes, the committee questions the policy underlying many of the provisions in the proposed regulations." . . .