

# A three headed snake

December 21 2006 David Cornsilk

The difference between the approach of the majority on the Cherokee Supreme Court and the dissenting justice, Stacy Leads is who is being protected.

The majority, in their zeal give the Principal Chief his special election, does everything they can to protect the signers of the petition, including going against Cherokee law in the face of fraud.

Leeds, on the other hand, shows a clear balance in her approach to the interpretation and application of the law. She gives great deference to the validity of the signatures and intent of the signers. But at the same time, she has shown a legal maturity that is able to separate the wheat from the chaff. She minces no words in her admonishment of Darren Buzzard and Dwayne Barrett (kinsman of CNO councilman Buel Anglen, an admitted Freedmen opponent). But what is even more refreshing is her admonishment of the entire Supreme Court itself when she states that the majority opinion tells the Cherokee people that the "laws of the Cherokee Nation don't matter."

The question now is why would three attorneys, with a great deal of experience, give such a heinous interpretation of the law. It is my opinion that the cash flow from the Casinos, political power, greed, racism are all at the heart of the ruling. Even the tone of the majority opinion is clearly hostile to Ms. Baker. That tone was nothing compared to the efforts by the majority to prevent her from putting on her case at trial.

The words used to describe the testimony of Marilyn Vann showed nothing short of hatred and contempt. While her testimony was designed to show that at least 13 names of signers that had been counted did not appear on the voters list, the court found her testimony to be less than credible!!! The only thing her

testimony said was John Doe was not on the list. That fact alone should have prompted the court to investigate further and see just how many names that were counted did not appear on the list. In his misplaced efforts to make Ms. Vann look bad, Justice Matlock only makes himself look petty.

The Cherokee Nation is about to spend upwards of \$100,000 to carry out the wishes of the Principal Chief to vote on the Freedmen. At the same time, the Federal Courts, in their landmark ruling regarding the rights of minorities in the Cherokee Nation, is spiraling toward the conclusion that the 1999 Constitution is not valid, a fact agreed with by the BIA. That means the judges who joined with Matlock are not even legally seated on the court and their opinions may not even matter, as they were appointed under the authority of the 1999 constitution.

We are saddened and pleased by the ruling in the Cherokee Nation Supreme Court. We are sad because the Freedmen must continue to fight for their rightful place in the Cherokee Nation and they have precious little time or money to do it. We are pleased to some degree because it is always good to know where the snakes are hiding. This is the FIRST ruling of the newly organized Cherokee Nation Supreme Court. As Justice Matlock made clear at trial, it is "historic." The three justices have ventured far from the true meaning of justice and truth in their efforts to give the Principal Chief his special election. We have known all along that Justice Matlock is a snake. We have suspected, from their previous service to the Principal Chief, that Justices Wilcoxon and Haskins are snakes. We now have proof. All three men, the heads of one vicious snake, have bitten the heal of the Cherokee Nation and as it says in the Bible, that same heal shall crush their head.

## The Keetoowah Cherokees

December 23 2006

The Keetoowah Cherokees will inaugurate nine Tribal Council District Representatives in a ceremony at 10 a.m. Jan. 6 in the NSU Ballroom.

Tribal members, as well as the general public, are invited.

- The district representatives, who will serve two-year terms, are:
- Eddie Sacks**, Canadian District;
  - Cliff Wofford**, Cooweescoowee District;
  - Jerry Hansen**, Delaware District;
  - Woodrow Proctor**, Flint District;
  - Joyce Fourkiller**, Goingsnake District;
  - Barbara Girty**, Illinois District;
  - Charles Smoke**, Saline District,
  - Barry Dotson**, Sequoyah District, and
  - Albert Shade**, Tahlequah District.

Following the ceremony, the tribe will host a reception. After these festivities conclude, the tribal council will hold their regular January meeting at the UKB Community Services Building.

Information: 1-918-431-1818.

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### Cherokee Nation of Oklahoma

Chart of Branches as we see it today.

Cherokee People

1975 Constitution

Tribal Council Representatives working for the Cherokee people today.

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The Cherokee People needs to know, this is way our nation is functioning as of today. This structure is not constitutional. The elected officials acting under Chief Smith's control is illegal! The only person that should be working under the Executive branch is Deputy Chief Grayson. Chief Smith should not have controlled over the majority of the Tribal Councilors of majority of our Judicial branch. But this is how it is working or not working for the Cherokee people. Under this structure we have a dictatorship. One person controlling our Nation, The creation of the 1975 Cherokee Constitution took the control of one man, to a three branch of government. But we have no checks & balances under our Constitution. When the Chief controls the Judicial branch and the majority of the Tribal Council. . . . We have a dictatorship and that is illegal under our Constitution. When the Cherokee people rely on our three branches to work as their oath to follow our Constitution, then "OUR STATE OF THE NATION" is not what our Chief keeps telling us. The Chief keeps telling us everything is great and nothing is wrong. We Cherokees have trouble. We have more money and the people have less services. They are wasting our money. The money belong to the Cherokee People, but this administration spend money as if it was theirs. The Cherokee people need to wake up and get involved. Help stop these kinds of illegal actions. It is time again in our Cherokee History to rise up and protect the Cherokee Nation from corrupt elected officials or appointed officials & employees.

## Cherokee Nation Enterprise's net income was \$89,261,000.00

Cherokee Nation Enterprises, Inc., the gaming arm of the tribe, earned 40 percent more in October than October 2005, tribal councilors were told Monday.

It wasn't the highest take in a month, but was among the top five months ever. CNE President Dave Stewart said CNE has more than 3,000 employees, 73 percent of which are Native American and 60 percent of whom are Cherokees.

CNE paid \$7.4 million to the state it owed under its state gaming compact and paid the Horse Racing Commission \$6 million, Stewart said.

He said the CNE board is looking at expanding the Fort Gibson casino. When it is having promotions "we don't have a place to put the people," he said.

The Cherokees have ordered 1,700 Class 3 games and are adding to that almost daily, Stewart said. Some other tribes also are ordering the Class 3 games, he said.

"Manufacturers are having trouble meeting demand," Stewart said.

A new gaming facility at West Siloam Springs should be complete in 2008 and add 600 jobs. Renovations are being made on the casino at Roland. A new casino in Tahlequah recently opened.

Legislation scheduled to be voted on in the Executive and Finance Committee before the

full council meeting was tabled after Stewart said if the tribe voted to take a 60 percent dividend, instead of 30 percent of net gaming revenue, "we won't have enough money to operate."

The proposal was for half of a 60 percent dividend from CNE to go for tribal services and the other half to jobs growth and expansion. But the requests for jobs growth and expansion would have to go through the council, which the constitution gives the purse strings.

There had been talk about a request to borrow \$250 million "to move ahead with all projects on the table," and Councilor Bill Baker said if the council allowed that, "we would have GEG's out the Kazoo (referring to \$6.3 million Cherokee Nation Industry lost after it invested in Global Energy Group, a penny stock company, although public filings of GEG indicated it was broke).

Jay Hannah, a board member of Cherokee Nation Business, the economic development arm of the tribe, and a board member of CNE, told councilors that in the last year there had been no such bad investments.

"We've have been adroit in saying no," he said.

He estimated the largest line of credit that would be asked for was \$50 million.

The council failed to override a veto by Principal Chief Chad Smith that would have given

tribal employees \$300 to make their bonuses \$1,000. They earlier had received \$600. To override a veto takes two-thirds, or 12 to 5. The vote was 10 to 7 to override. Those voting to override Smith's veto of the bonus: Linda O'Leary, Melvina Shotpouch, David Thornton, Phyllis Yargee, Bill John Baker, Audra Connors, Joe Crittenden, Chuck Hoskin, Taylor Keen and Johnny Ketcher.

Those in favor of the tribal employee bonuses showed that CNE had spent \$10,287 million on employee bonuses for 3,126 employees — compared to the tribe spending \$2.1 million for 2,142 tribal employees.

CNE employees had only state and federal taxes taken out of their bonuses — while tribal employees had \$462, 723 taken out in fringe benefits, like insurance and items that weren't actually spent by the tribe, and \$315,137 for what is called the IDC pool.

Councilor Bill John Baker said the \$315,137 in IDC taken away from the bonus money was for nothing more than the tribe writing the bonus checks.

Councilor Phyllis Yargee said councilors were under the impression employees would get \$1,000 bonuses, not the \$600 they got.

The \$300 additional bonus was to make up for what was taken out in fringe not applicable and IDC not applicable, councilors argued.



Smith disagreed, saying he had to take out the fringe and IDC.

CNE bonuses amounted to 40 percent of what the tribe got in dividends from CNE.

Records also show that 2,451 hourly CNE employees got an average \$1,708.63 bonus (nearly 3 times the Cherokee Nation employee bonus) and 675 salaried employees got an average \$9,043.01 bonus (nearly 15 times that of Cherokee Nation salaried employees).

CNE's net income was \$89,261,000 last year. CNE net income before bonuses was \$99,547,969.



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