

Cherokee election still in dispute

TABLEQUAH, Okla. (AP) — The Cherokee Nation Supreme Court granted a key motion by Principal Chief Chad Smith last Saturday, the second day of a hearing over the American Indian tribe's disputed election.

The court ordered a comparison of all voters in the tribal election commission's voter database to the tribe's current enrollment registry.

Smith maintains that by comparing the two lists, it can be determined if unregistered voters cast ballots during the June 25 election for the principal chief's office.

There was no immediate indication when such a comparison might be done. About 15,000 votes were cast during the election.

Smith is appealing a hand

recount conducted June 30 by the election commission after Smith and tribal councilman Bill John Baker were separated by only a handful of votes. The recount showed Baker ahead by 266 votes over Smith, who has asked the court to order a machine recount.

Unofficial returns gave Baker the lead by 11 votes the morning after the election, but the commission declared Smith the winner one day later by seven votes. The overall vote totals have been different in each count.

The justices haven't said when they might rule on Smith's request for a machine recount or if they might order a new election. The hearing was continuing into Saturday evening.

After Smith's attorneys rested their case Saturday, Baker's at-

torneys asked the court to dismiss the appeal, saying Smith has failed to prove fraud. Under Cherokee election law, the fee for a regular appeal is \$500, but if fraud is alleged, that fee is \$1,500. Smith paid the latter amount in filing his appeal.

The hearing Saturday began with testimony from Terry Rainey, who owns Automated Election Services, about whether the process of using machines to count absentee ballots could explain the difference between the initial vote count and the hand recount.

Baker's campaign has said Rainey has acknowledged in court and in a deposition that a double count of absentee votes could explain the difference. Rainey clarified those statements Saturday, saying he reached that conclusion only

because he worked through the vote numbers in the matter offered by Baker's attorneys.

Two observers of the hand recount, Valerie Giebel and Melanie Knight, testified about watching tired ballot counters and seeing tabulation issues during the recount. Giebel was an observer for the Smith campaign. Under cross-examination by Baker's attorneys, she acknowledged that even though the counters were tired, each counter matched tallies in precincts before the total was agreed upon.

The Tablequah-based Cherokee Nation is Oklahoma's largest tribe and one of the nation's biggest, with membership approaching 300,000. Smith or Baker will administer a \$600 million annual budget after an inauguration set for Aug. 14.

Martha's Vineyard tribe eyes Cape Wind lawsuit

AQUINNAH, Mass. (AP) — A Martha's Vineyard American Indian tribe has announced that its tribal government has authorized a lawsuit against a wind farm project off Cape Cod.

The Wampanoag Tribe of Gay Head said Friday that it wants to join more than a dozen groups in a new legal challenge to the proposed 130-turbine wind farm in Nantucket Sound.

The tribe said in a statement that the planned lawsuit against the U.S. Department

of the Interior's Bureau of Ocean Energy Management Regulation and Enforcement cites multiple violations, including the destruction of "historical, cultural and spiritual tribal resources."

There are 1,121 enrolled tribal members in the Aquinnah tribe.

Mark Rodgers, spokesman for Cape Wind Associates, said about 14 legal challenges against Cape Wind have been rejected by various courts over the past eight years.

8 SD tribes to share in \$4.4 million in grants

SIoux FALLS, S.D. (AP) — Eight American Indian tribes will share in more than \$4 million in federal grant money for historic preservation.

The grants are funded by revenues from federal oil leases on the Outer Continental Shelf. They're intended to pay for preserving cultural sites and promoting education programs

about the cultural heritage of tribes.

The Crow Creek Sioux tribe will receive about \$70,000. Other South Dakota tribes to receive grants are the Cheyenne River, Flandreau Santee Sioux, Oglala Sioux, Rosebud Sioux, Sisseton-Wahpeton Oyate, Standing Rock Sioux and Yankton Sioux.

Umatilla tribe elects new chairman to top job

PENDLETON (AP) — The Confederated Tribes of the Umatilla Indian Reservation have elected a new chairman of their board of trustees, the tribe's top post.

The East Oregonian reports that Les Minthorn, a previous chairman and treasurer, won with 160 votes out of 478 total.

Minthorn is taking over for

Elwood Patawa, who resigned in April and whose term ends in November. Minthorn beat out five other candidates.

The election's runner-up

garnered 126 votes. Minthorn will be sworn in on July 11. He served as chairman of the board of trustees from 1974-1980.

Native American rights lawyer dies at 68

BOULDER, Colo. (AP) — David Getches, a leading American Indian rights lawyer and former dean of the University of Colorado School of Law, has died. He was 68.

The Boulder Daily Camera reports that university officials say Getches died at his home a week ago Tuesday of pancreatic cancer. He had stepped down as dean of the law school at the end of June to rejoin the faculty.

Getches moved to Colorado in 1970 to become the founding executive director of the Boulder-based Native American Rights Fund. He also served as executive di-

rector of the Colorado Department of Natural Resources from 1983 to 1987.

Among American Indian rights cases litigated by Getches, the 1974 United States v. Washington case is cited by the National Congress of American Indians as the leading case on enforcement of tribal treaty rights. That case involved the fishing rights of Northwest tribes granted under treaties signed in the 1800s.

"David Getches forged a revolution in federal Indian law that led to a new respect for the rights of Indian tribes in courtrooms throughout the nation," Jefferson Keel, president of the American Indian group. "Mr.

Getches will be remembered as a great friend and brother to Native people."

As a professor at CU, Getches taught natural resources law, including water, pollution, environmental and American Indian public lands law. Recent academic projects included work on Supreme Court Indian law decision-making, as well as water law involving the Colorado River and indigenous people in Latin America.

Former U.S. Attorney Troy Eid, who in private practice specializes in Indian law, said Getches and CU professor Charles Wilkinson forged American Indian law as a disci-

pline of study. Eid called Getches a "giant of the profession."

Getches also authored several law books in English and Spanish, and wrote numerous articles on water, natural resources and American Indian law.

"For over 30 years, David Getches has been a mentor," Interior Secretary Ken Salazar said in a statement. "He inspired my work on conservation. He taught me about the importance of upholding our trust relationship with the nation's first Americans. For Colorado and the nation, the legacy of David Getches' life will live forever."

Twelve Okla. tribes receive historic preservation grants

OKLAHOMA CITY (AP) — Twelve American Indian tribes based in Oklahoma are receiving federal historic preservation grants from the U.S. Interior Department.

U.S. Interior Secretary Ken Salazar says the Absentee Shawnee, Caddo, Cheyenne and Arapaho, Choctaw, Citizen Potawatomi, Comanche, Miami, Muscogee (Creek), Pawnee, Ponca, Quapaw and Wyandotte tribes from Oklahoma will re-

ceive grants. Nationwide, \$4.4 million in grants are going to 117 tribes.

Among the Oklahoma tribes, the size of the grants range from \$29,975 for the Caddo Nation to \$59,431 for the Muscogee (Creek) Nation.

The grant money comes from revenues from federal oil leases on the Outer Continental Shelf. The money is used by the National Park Service for tribal historic preservation efforts.

Oglala Sioux name new police chief

PINE RIDGE, S.D. (AP) — The Oglala Sioux Tribe on the Pine Ridge reservation has named a new police chief.

Richard Greenwald took over the tribal police last week. Tribal leaders are considering a move to turn over public safety

responsibilities to the federal Bureau of Indian Affairs. The police and tribal officials have long feuded on the reservation south of Rapid City. The tribe's judiciary chairman, Toby Big Boy, has said local police have not addressed many complaints.

Man charged in Navajo officer's death

FLAGSTAFF, Ariz. (AP) — A Kaibeto (KY' bih toh) man charged with first-degree murder in the death of a Navajo Nation police sergeant remains hospitalized.

FBI spokesman Manuel Johnson says authorities formally arrested Victor Bigman at a Flagstaff hospital last Thursday and are watching him around the clock.

Bigman has been under medical care since tribal police

were called to his home June 25 to break up a fight between his sons.

Authorities say Bigman intervened in the arrests and fired four shots at Sgt. Darrell Curley, who returned fire and struck Bigman. Curley died hours later.

Johnson declined to say

where Bigman was hit or discuss his condition.

Federal authorities have charged Bigman's son, Tyson Bigman, with assaulting another tribal officer at the scene. He was released from custody following a detention hearing Friday.

The next deadline to submit items for publication in the Spilyay Tymoo is Friday, July 22. Thank you!

Choctaw Fair starts today

PHILADELPHIA, Miss. (AP) — The Sixty-Second Annual Choctaw Indian Fair begins this Wednesday, July 13. The fair is a four-day event featuring tribal culture and spirit.

The fair will give visitors a sampling of tribal arts, crafts and dances along with the action of stickball competition.

Entertainment ranges from midway rides to performances by entertainers Crystal Shawanda, Leann Rimes, The Spinners and Atlanta Rhythm Section. The Choctaw Indian Princess pageant is this evening.

\$400

CASH REWARD

VARIETY OF CARPENTRY TOOLS

ITEMS TAKEN FROM 2572 Mt Jefferson Street, Warm Springs, during the night of 13 June 2011. Tools were removed from our trailer, we are trying to recover them.

PARTIAL LIST OF MISSING TOOLS

Ridgid Compound Mitre Saw, mounted on a work stand with wheels, Model R-4120
Milwaukee, skill saw, no case
SENCO AIR NAIL GUNS:
Red head, finish nailer, with case, model Finish Pro, SFN 30
Three finish air guns in a case, black plastic
Coil siding Nailer, Model SCN 49
Framing Nail Gun, Frame Pro
Micro pin nailer, Finish Pro 11
Milwaukee, Saws-all in red plastic case, cord is detached, lots of blades
Dewalt, scroll jig saw in a black beat up metal case.

Many other items, garden tools and hoses, blower, extension cords, brooms, Three ladders.

Police Case #11-1174 at the
Warm Springs Tribal Police Department, (541) 553-3272

Makita, 10" fold up table saw, the rip guide has a broken plastic lock, model 2705X1

MAURICE 541-546 9008

MULTI-FAMILY
YARD SALE

SAT. July 16, 2011
WS Campus Lawn
9:00 am - 4:30 pm

Fans Clothes Dvd Players Shoes Kitchen ware

Fry Bread
NDN Tacos
Rez Dogs
Funnel Cakes
Shortcake
Soda/Water

Blankets Towels

**The House Runneth Over!!!
Please help us clean it out.
One's mans junk is another
mans treasure!**