

Oklahoma State Senate

STATE CAPITOL

OKLAHOMA CITY, OKLAHOMA



February 27, 1963

Honorable A. S. Mike Monroney
United States Senator
Senate Office Building
Washington, D. C.

Dear Senator Monroney:

I am enclosing a review, with supporting documents, of the turmoil and chaotic conditions historically present in the tribal organization of the Kiowa, Comanche and Apache Indian Tribes.

I have always felt quite strongly that the Comanche Indian Tribe should be permitted, and by legislation authorized and directed, to form its own separate tribal organization. This opinion is shared by the progressive members of the Indian Tribe, and I think the majority of the members of the Tribe. It is also shared by the officials of the Bureau of Indian Affairs with whom I have talked. These latter officials, however, have hesitated to take any official public position on this question. They express privately that a separate organization for the Indian Tribe would promote better organization, more harmony and cooperation, and greater ability to take advantage of federal self-help programs for the Comanche Indian Tribe, as well as for the other Tribes. They suggest, however, that this must be accomplished by legislation.

It seems to me that now is the best time to go to work on this, since the General Council of the Kiowa, Comanche, Apache Tribes has just voted to throw out the present constitution.

Would it be possible for you to ask the Bureau of Indian Affairs to propose a bill which would make the Comanche Indian Tribe a separate entity and organization, authorize them to perfect their organization under the supervisory direction of the Department of Interior, and authorize ~~them~~ to direct the Secretary of Interior to make an equitable division of common land, money and other property? I believe they would jump at the chance to do this if so requested. We would then hope that you would introduce the bill, although you could make this determination later. I suggest that Leslie Gay, Tribal Relations Officer, Bureau of Indian Affairs, Washington, is very knowledgeable on this matter.

*Called & reported
March 4
1 fold in open file*

10,000 Total

5500 Kiowa

500 Kiowa Apache

4000 Kiowa

4000 Comanche

See letter

2

5

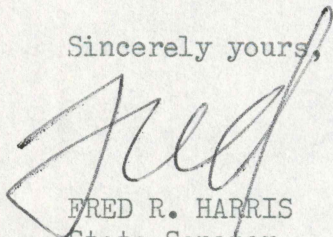
1867-68

Ind. Indians

Would you please give this your consideration and let me know what you think? Your assistance is certainly appreciated.

Best personal regards.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Fred", written over the typed name.

FRED R. HARRIS
State Senator

FRH:ns

Enclosures

1956 but 1963 necessary
 join with constitution

This is a request from State Senator

Fred Harris for you to introduce

legislation to authorize the Comanche

Tribe to form a tribal organization

separate from the Kiowas and Apaches.

TELEPHONE:

Number of cords

10/15

Land
 Treasury funds
 Kiowa Apache Shogel
 Department letter
 10/15

MEMORANDUM OF DATE

DATE

DATE

92-102

9201 1020

(over) 25 more bundles

United States Senate

MEMORANDUM

Jack -

Please note how says
hold in pending.

fe

He talked with both
Leslie Bay and
Fred Harris. 3/4/63

TO: THE HONORABLE STEWART UDALL, SECRETARY OF THE INTERIOR, WASH., D.C.
SUBJECT: MOVEMENT TO STABILIZE TRIBAL GOVERNMENT, ALSO SUMMARY OF VITAL FACTS

FACT I.....MARCH 17,1956 COMANCHE STANDING VOTE FOR THE ESTABLISHMENT OF A SEPARATE TRIBAL GOVERNMENT WON BY SEPARATION COMANCHES 252 TO 147, AT FORT SILL INDIAN SCHOOL, CONSTITUTION ADOPTED.

FACT II.....NOVEMBER 28,1956 COMANCHE MAIL BALLOT ON THE QUESTION OF SEPARATION FROM THE KIOWA AND APACHE TRIBES WITH THE RESULTS, FOR SEPARATION 573, AGAINST SEPARATION 555, NO COMANCHE CONSTITUTION MENTIONED BY INDIAN BUREAU.

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FACT III.....NOVEMBER 28,1958 COMANCHE CONSTITUTIONAL REFERENDUM, PROPOSED COMANCHE CONSTITUTION DEFEATED 487 TO 394 VOTES.

FACT IV.....DECEMBER 20,1958 KCA GENERAL COUNCIL ADOPTS AMENDMENTS MAKING CIVIL SERVICE EMPLOYEES INELIGIBLE TO SERVE ON BUSINESS COMMITTEE.

FACT V.....DECEMBER 1960 FIVE PRO-SEPARATION COMANCHES ELECTED TO KCA BUSINESS COMMITTEE, COFFEY, ATTOCKNIE, TOMAH, TIMBO, AND NAHMOOKSY.

FACT VI.....MARCH 26,1962 JAMES E. OFFICER, ASSOCIATE COMMISSIONER OF INDIAN AFFAIRS, WASH., D.C., UPHOLDS BERRY AND KCA CONSTITUTIONAL AMENDMENT OF DECEMBER 20, 1958, BARRING CIVIL SERVICE EMPLOYEES, COFFEY, ATTOCKNIE, NAHMOOKSY.

FACT VII.....APRIL 14,1962 COMANCHE ELECTION TO REPLACE THREE COMANCHES OUSTED BY INDIAN BUREAU DECISION RETROACTIVE TO DECEMBER 20,1958. SEE FACT IV. HOWEVER, THE THREE OUSTED PRO-SEPARATION COMANCHES WERE REPLACED BY THREE OTHER PRO-SEPARATION COMANCHES, RIDDLES, MONETATHCHI, HOWTY.

Careful analysis of above listed events leads to the realization that the Indian Bureau never intended for the Comanches to withdraw and administer their own affairs as the individual tribe they once were. See demoralizing FACT II which vote the separation Comanches won despite Indian Bureau created loss of confidence in their Comanche leaders.

FACT III was the coup de grace administered by a pitying Indian Bureau on Comanche hopes for an individual tribal government.

To hasten decay of Comanche hopes, the big stone of FACT IV was rolled into the opening of the tomb.

When Kiowa-Apache-Indian Bureau policy sealed that tomb of Comanche hopes, see FACT VI, decomposition did not set in. The stone was rolled away by ~~the~~ love, the love the Comanches for their tribe and their unquenched desire for a stable tribal government.

The refreshing spirit of Comanche hopes for a tribal government of their own, emerged from that sepulchre in the form of the election victory of three pro-separation Comanches to the Kiowa-Comanche-Apache Business Committee on April 14,1962. See FACT VII.

The revival of original hopes for a stable government for our Comanche Tribe could not help but bring to mind the very disheartening retroactive decision of March 26, 1962, see FACT VI, which affirmed a Kiowa-Comanche-Apache General Council amendment adopted December 20,1958.

Hailing the American spirit of equal consideration for opposing factions, we the duly elected Comanche Business Committee, do now petition and pray for a retroactive decision for our own side of the issue. We Comanches who feel that it is to the disadvantage and detriment of all three tribes to go any longer as a multi-tribal organization, hereupon earnestly request the Secretary of the Interior to consider reaffirming the original Comanche tribal votes for separation, FACT I and FACT II above, which elections requested by Comanches were both authorized by the Indian Bureau. Once reaffirming the separation votes, we feel that it would be quite in order for the Secretary of the Interior to recommend appropriate legislation and apportionment of the three tribes' interests.

This request was composed and adopted by majority vote, at a meeting especially called for this purpose by the Comanche Tribal Business Committee on October 6,1962.

Lawrence Tomah Jr.
Lawrence Tomah Jr.

Ned Timbo
Ned Timbo

Leonard Riddles
Leonard Riddles

MINUTES OF MEETING OF COMANCHE INDIAN TRIBE

March 17, 1956

Meeting was called to order pursuant to call by Will J. Pitner, Area Director, at 2:00 P.M., Saturday, March 17, 1956, at the Fort Sill Indian School, Lawton, Oklahoma, by Robert Coffey, Temporary Chairman, notice of the meeting having been given by distributing 20 copies of official notice of meeting (attached Exhibit 1), and by distribution of 500 copies of information sheet (attached Exhibit 1A), and by three notices in the Lawton Morning Press (attached Exhibit 1B), and by information meetings held during the month of March at Oklahoma City, at Post Oak Mission School, Indianola, at Dutch Reformed Mission, Lawton, at Brown Church, Walters, at Deyo Mission and Nazarene Indian Mission, Cache, at Petarcy Mission, Richards Spur, at Mahsetky Mission, Apache, and at Little Washita Mission, Fletcher. Approximately 500 Comanches were present when the meeting was called to order.

The Chair then recognized Mr. Walter Gray, Superintendent of the Fort Sill Indian School, who made a few remarks and explained the purpose of the meeting and informed the group that the meeting was held for members of the Comanche Indian Tribe only.

The Chair then opened the house for nominations for Chairman of the meeting. Henry Youniacut nominated James Chebahtah; Lawrence Tomah, Jr. nominated Robert Coffey. There being no further nominations, nominations were declared closed. An election was held by standing vote. Robert Coffey received 240 votes. James Chebahtah received 153 votes. Robert Coffey was declared elected Chairman of the meeting.

The house was then declared open for nominations for Secretary of the meeting. Marlene Fodder and Max Pahcheke were nominated. Marlene Fodder, receiving the highest number of votes, was declared elected Secretary for the meeting.

The Chair then recognized Rev. Amos Komah for purposes of the introduction of a resolution. Rev. Komah introduced the resolution (attached Exhibit 2), read and explained the same, and moved that it be adopted. The Chair recognized Mr. Norton Tahquechi for purposes of a few remarks. Rev. Komah then was recognized for a few remarks in favor of the resolution, at which time he also observed that the resolution was approved by all five Comanche councilmen. The Chair then recognized Rev. Robert Cheat who seconded the motion that the resolution be adopted. The Chair then recognized Mr. Norton Tahquechi to interpret it in the Comanche language.

The Chair then recognized Mr. Roderick Red Elk who moved that each speaker be limited to three minutes and that each speaker speak only one time during the meeting. The motion was seconded by Sam Mullins and was carried.

The Chair then recognized Mr. Henry Looking-Glass who spoke in favor of the resolution.

The Chair then recognized Mr. Alfred Mahseet who spoke against the resolution. Mr. William Saupitty and Mr. Norton Tahquechi relinquished their time to Mr. Alfred Mahseet, who then spoke for an additional six minutes.

Mr. Roderick Red Elk relinquished his time to Mr. Henry Looking-Glass, but the latter declined to speak further.

The chair then recognized Mrs. George (Nema) Kishketon, who spoke in favor of the resolution.

The Chair then recognized Mr. Clayton Nauni who made a few remarks and stated that he was neutral on the question involved.

The Chair then recognized Mr. Lawrence Tomah, Jr., who spoke in favor of the resolution.

The Chair then recognized Mr. Raymond Nauni, who spoke in favor of the resolution.

The Chair then recognized Mrs. Mary Poafpybitty, who spoke against the resolution.

The Chair then recognized Mrs. Pearl Kauley, who spoke in favor of the resolution.

The Chair then recognized Mrs. Julia Mahseet, who spoke against the resolution.

The Chair then recognized Mr. Edgar Monetathchi, who spoke in favor of the resolution.

The Chair then recognized Mr. Jack Mahseet, who spoke against the resolution, in the Comanche language.

The Chair then recognized Mr. Taylor Noyabad, who spoke against the resolution.

The Chair then recognized Mr. Joe Attocknie, who moved that all discussion cease and that a vote be taken immediately. The motion was seconded by Lawrence Tomah, and carried unanimously.

The Chairman then ruled that only those 21 years of age or older, both men and women, would be entitled to vote on the question. The Chair further ruled that anybody recognized as a member of the Comanche Indian Tribe under membership rules previously adopted by the Inter-Tribal Business Committee, upon suggestions from the Commissioner of Indian Affairs, would be entitled to vote. There was no objection to the ruling by the Chairman as to qualifications for voting. The Chair then stated that anyone present could at this time challenge any other person's right to vote on the resolution, and that no challenges would be allowed after voting had started. This statement was repeated by the Chairman three times. Mr. Norton Tahquechi interpreted the statements made by the Chairman as to the right to vote in the Comanche Language. No challenges were made.

The Chair then asked those opposed to the resolution to appoint two counters. Mr. Norton Tahquechi and Mr. Felix Koweno were appointed by those opposed to the resolution, including William Saupitty and Taylor Noyabad. The Chairman then appointed two other counters, Roderick Red Elk and Lawrence Tomah, Jr. The Chair announced that a proposed constitution would be voted on if the resolution passed, and requested

everyone to remain after the vote on the resolution.

Vote was then taken by standing vote. Tabulations by the counters showed 252 in favor of the resolution and 147 against the resolution. The resolution was declared to have passed.

The Chair then called on the Tribal Attorney, Fred R. Harris, who read and explained the proposed Consitution (attached Exhibit 3). After discussions and questions from the floor, Mr. Edgar Monetathchi moved that the Constitution be adopted. The motion was seconded by Lawrence Tomah. Vote was then taken on the motion by standing vote. The motion carried unanimously, with no one voting against it.

There being no further business to come before the meeting, the Chair then recognized Mr. Fred Ticeahkie to close the meeting with a prayer, following which the meeting was adjourned at 5:00 P.M.

We, the undersigned, the Chairman and Secretary of the above meeting hereby certify that the above and foregoing minutes are true and correct.

Dated this 17th day of March, 1956.

Robert Coffey
Chairman

Marianne Fidler
Secretary

FACT II

FACT II

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
ANADARKO AREA OFFICE
Anadarko, Oklahoma

November 28, 1956

NOTICE

Notice is hereby given that official count was made November 27, 1956 of the ballots of the referendum vote of the adult members of the Comanche Tribe, voting on the question of separation from the Kiowa and Apache Tribes, with the following results:

Those voting in favor of separation..... 573

Those voting against separation..... 555

Sgd. Will J. Pitner

Area Director

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YS T A T E M E N T

I, Norman G. Holmes, Chairman of General Election Board, Comanche Constitutional Election, held on November 29, 1958 hereby state that the election was conducted in accordance with the Comanche Constitution election regulations issued by the Secretary of the Interior. No difficulty or trouble occurred or was reported from any of the established polls on the day of the election.

There was a total number of 1,817 eligible Comanche voters of which number 881 ballots were counted in the returns. Over 48% of the eligible voters participated in the election.

Canvassing of the election returns was completed the morning of November 30, 1958. The results were 487 against and 394 for acceptance of the proposed Comanches Constitution.

The proposed Comanche Constitution was thereby rejected by majority of the Comanche eligible voters.

(Sgd.) Norman G. Holmes
Chairman, General Election Board

Subscribed and sworn to before me on December 1, 1958.

(Sgd.) Merzl G. Schroeder
Notary Public

My Commission Expires 6/2/60

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FACT IV

MINI OF THE GENERAL COUNCIL
KIOWA, COMANCHE AND APACHE TRIBES HELD
DEC. 20, 1958 AT THE COMMUNITY BUILDING
APACHE, OKLAHOMA

FACT IV

See next
page

Norton Tahquechi acting chairman called meeting to order.
Prayer by Joe Neido.

Nominations were opened for chairman.

Guy Quoetone nominated Robert Goombi by acclamation. Seconded by Horace Noyobad. Robert Goombi elected chairman.

Nominations for secretary.

Yale Tanequoot nominated Julia Mahseet. Seconded by Guy Quoetone. Horace Noyobad move that Julia Mahseet be elected by acclamation. Seconded by Yale Tanequoot. Julia Mahseet elected Secretary.

Chairman: Explained the purpose of calling a general council.
Introduction of council members.

Secretary read the Kiowa, Comanche and Apache Tribal Constitution and By-Laws.

Chairman; appointed interpreters Norton Tahquechi, Comanche and Guy Quoetone, Kiowa.

Philemon Berry, Inter-tribal chairman; Have a letter from attorney Miskovsky which I will read later. We should get on with the agenda for the day. First is to amend the Constitution. The Constitution should be amended to fit our needs.

Chairman: After the secretary reads Article I Section 1 will be ready for any amendment.

Norton Tahquechi: Article I should be amended. A Section 2 should be added. "The official governing body of the Kiowa, Comanche and Apache Tribes shall be the Kiowa, Comanche and Apache Tribal Business Committee." The following commented: Guy Quoetone, Robert Coffey, Horace Noyobad, Philemon Berry, James Chebahtah and William Saupitty.

Norton Tahquechi: Motion to accept the amendment. Seconded by Philemon Berry.

Chairman: A ppointed counters: Clarence Sankadota, Edward Tsotaddle and Vincent Spotted Bird.

Voting 95 for 7 Against. Motion carried.

Secretary read Article II Section 1.

Oliver Woodard: A rticle II Section 1 should be amended. After word reservation, add "And also to safe guard and protect the individual's rights and interests of the Kiowa, Comanche and Apache Indians at the request of the individual."

Horace Noyobad: Motion to adopt the amendment. Seconded by William Saupitty. Voting 108 for 0 against. Motion carried.

James Chebahtah: Article II a Section 2 should be added. "All official relationships of the Bureau of Indian Affairs with the Kiowa, Comanche and A pache Tribal membership will be conducted through the recognized Kiowa, Comanche and Apache Tribal Business Committee." Motion to accept the new amendment. Seconded by Norton Tahquechi. Voting 95 for 0 against. Motion carried.

Secretary read Article III

Philemon Berry: Article III in Section 1 add number (6) or inviolation of any part of this constitution. "Strike out two-thirds which appears twice and insert the word majority. After Committee add present after tribal council add, "Called for that purpose." I move to accept the amendment. Seconded by William Saupitty.
Voting 99 for 0 against. Motion carried.

Secretary read Article IV Section 1

Oliver Woodard: In article IV Section 1 Strike out general and add Tribes I move the amendment be accepted. Seconded by Norton Tahquechi.
Voting 90 for 0 against. Motion carried.

Secretary read Article V Section 1, 2 and 3.

James Chebahtah: Article V Section 1 should be amended. After Committee add "also all voters must be 21 years of age or over at all tribal and general council votings." After council add, "except Civil Service employees." I move to accept the amendment. Seconded by William Saupitty
Voting 100 for 1 against. Motion carried.

Philemon Berry: Article V Section 2 After Indians add "and upon a request of any individuals of the three tribes and individual's rights, privilege and interest shall be discussed and acted upon by this committee before the Bureau of Indian Affairs, Secretary of the Interior and before members of Congress and also before all State and Federal Courts." I move to accept the amendment. Seconded by James Chebahtah.
Voting 94 for 0 against. Motion carried.

Norton Tahquechi: Article V Section 3. After D.C. add "by the General Council." I move to accept the amendment. Seconded by Oliver Woodard.
Voting 93 for 0 against. Motion carried.

Tennyson Berry: Article V Section 4 should be added. "The Kiowa, Comanche and Apache Tribal Business Committee has authority and right to employ legal council. Motion to adopt the amendment. Seconded by Philemon Berry.
Voting 90 for 1 against. Motion carried.

James Chebahtah: Article V add Section 5 "Any member or minority group who desires to terminate or separate his or its tribe membership from the three tribes must do so by submitting to the Business Committee a statement in writing to that effect and thereafter such person or group shall lose all tribal benefits or rights with the Kiowa, Comanche and Apache Tribes automatically." I move the amendment be adopted. Seconded by William Saupitty.
Voting 99 for 0 against. Motion carried.

Secretary read Article VI Section 1, 2 and 3

Philemon Berry: Article VI Section 1. Strike out, "or at the call of the Superintendent of the Kiowa Agency." Motion the amendment be adopted. Seconded by James Chebahtah.
Voting 107 for 0 against. Motion carried.

Philemon Berry: Article VI Strike out Section 3 and add "General Council of the three tribes shall be called by the Kiowa, Comanche and Apache Tribal Business Committee in an appropriate resolution setting forth the date of the general council, the subject to be discussed that the chairman of the Tribal Business Committee be authorized to issue an announcement that a general council will be held upon not less than (10) days notice to the Indians or upon written request not less than 100 Comanches, 100 Kiowas and 50 Apaches voting age. also the same shall apply to the calling of Tribal Councils of each tribe. I move the amendment be accepted

Seconded by William Saupitty.

Voting 98 for 0 against. Motion carried.

Philemon Berry: Motion to authorize the Business Committee to make appropriate resolution of the amendments passed today in a special called meeting for Monday. Seconded by William Saupitty.

Voting 104 for 0 against. Motion carried.

Philemon Berry: Read Resolution referring to contract with Mr. Houston Bus Hill, Attorney of Oklahoma City, Okla.

Motion to accept the resolution as read. Seconded by William Saupitty. Voting 109 for 0 against. Motion carried.

Philemon Berry: Read letter from Mr. Frank Miskovsky, Claim Attorney, Oklahoma City, Okla. dated Dec, 18, 1958 addressed to Philemon Berry, Ft Cobb, Okla.

Steve Chibitty closed the meeting with prayer.

Meeting adjourned.

151 Robert Grombi

Chairman, Kiowa, Comanche and Apache
General Council

151 Julia Mahseet

Secretary, Kiowa, Comanche and Apache
General Council

RESOLUTION

WHEREAS, under date of December 20, 1958, there was a general council meeting of the Kiowa, Comanches and Apache Tribes held at Apache, Oklahoma, for the purpose of revising or amending the present constitution and by-laws, and

WHEREAS, said general council authorized and instructed the Kiowa, Comanche and Apache Tribal Business Committee to relay the amendments adopted and approved at this general council on through the channels to the Central Office for their review, and

WHEREAS, the said committee meeting in a special meeting on December 22 1958 is carrying out the wishes of the three tribes in further their intent to have these amendments made a part of our present constitution.

NOW THEREFORE BE IT RESOLVED. That in order to carry out the wishes of the three tribes we have been instructed by the general council as contained in their minutes to properly route the amended constitution to the Central Office for approval. That the Commissioner of Indian Affairs is hereby requested to consider these amendments as part of our constitution. AND FURTHER RESOLVED it is the wish of the majority to have these acted on as soon as possible and so advise the Tribal Business Committee of same.

CERTIFICATION

STATE OF OKLAHOMA)
COUNTY OF CADDO) ss

We the chairman and secretary of the Kiowa, Comanche and Apache Tribal Business Committee do hereby certify that this resolution is a true and correct copy which was presented to the tribal business committee in a special meeting, December 22, 1958, there being a quorum present, and was adopted by a vote of 11 for and 0 against.

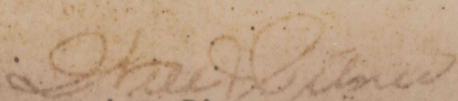
In witness whereof we have hereunto set our hand this 22nd day of December, 1958.

s/ Philemon Berry
Chairman

s/ James Chebahtah
Secretary

NOTE: 2-25-59

The proposed constitutional amendments which this resolution was supposed to cover were recalled by the Chairman of the Kiowa, Comanche, Apache Tribal Business Committee. See copy of attached letters. This resolution did not accompany the proposed constitutional changes at the time they were initially submitted for consideration.


Area Director

MINUTES OF THE ELECTION OF THE COMANCHE TRIBE HELD
DECEMBER 5, 1960, LAWTON, OKLAHOMA

The Comanche tribe met at the Ft. Sill Indian School, December 5, 1960, Lawton, Oklahoma for the purpose of electing 5 councilmen to serve for the next two years.

James Chebahtah, present committeeman, served as chairman and called the meeting to order.

Julia Mahseet, present committeewoman, served as secretary.

Chairman read ~~article~~ the Section 1 of the Kiowa, Comanche and Apache Constitution and By-Laws.

The following counters were appointed: George Asepermy, Ned Timbo, Steve Chibitty, Lewis Tahmahkera, Martin Weryackwe and Kent Tomah.

Steve Chibitty encouraged everyone to work together and think about God.

Haddon Nauni stated that selection should be some one who will stand up for Indians, should amend present Constitution and By-Laws, school lunch program should be looked into and committees should be selected in different areas.

Prayer by Joe Neido.

Motion by Steve Chibitty and seconded by Sam Mullen, to elect each councilman by individual ballot and not by acclamation.
Voting 201 for 0 against. Motion carried.

Nominations were open for first ballot.

The following were nominated: Reeves Nahwoosky, James Chebahtah and Haddon Nauni.

Motion by Melvin Kerchee and seconded by Lawrence Tomah Jr., nominations cease.

Haddon Nauni	received 6 votes.	
James Chebahtah	received 69 votes.	
Reeves Nahwoosky	received 98 votes.	____ Elected

Nominations were open for second ballot.

The following were nominated: Horace Noyobad, William Saupitty and Robert Coffey.

Motion by Melvin Kerchee and seconded by Reeves Nahwoosky, nominations cease.

Robert Coffey	received 105 votes.	____ Elected
William Saupitty	received 66 votes.	
Horace Noyobad	received 20 votes.	

Nominations were open for third ballot.

The following ~~are~~ were nominated: Lawrence Tomah Jr. Horace Noyobad and Julia Mahseet.

Motion by Melvin Kerchee and seconded by Sam Mullen, nominations cease.

Julia Mahseet	received 8 votes.	
Horace Noyobad	received 70 votes.	
Lawrence Tomah Jr.	received 104 votes.	____ Elected

Nominations were open for fourth ballot.

The following were nominated: Joe Attocknie , William Saupitty , Norton Tahquechi and Steve Chibitty.

Motion by Melvin Kerchee and seconded by Sam Mullen, Nominations cease.

Steve Chibitty	received	5 votes.	
Norton Tahquechi	received	2 votes.	
William Saupitty	received	82 votes.	
Joe Attocknie	received	93 votes.	_____Elected.

Nominations were open for fifth ballot.

The following were nominated: Ned Timbo, William Saupitty, Horace Noyobad and Haddon Nauni.

Motion by Melvin Kerchee and seconded by Sam Mullen, nominations cease.

Haddon Nauni	received	0 votes.	
Horace Noyobad	received	7 votes.	
William Saupitty	received	76 votes.	
Ned Timbo	received	99 votes.	_____Elected.

Julia Mahseet thanked the people for having the honor of serving on the council for the past 4 years.

William Saupitty spoke on the enrollment question and revising the enrollment rules and regulations.

The elected councilmen gave their word of honor to the tribe that they would do their best on the council.

Motion by Steve Chibitty and seconded by William Saupitty, to adjourn.
Meeting adjourned.

James Chibitty
Chairman

Secretary

FACT VI

FACT VI

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
Washington 25, D. C.

March 26, 1962

AIRMAIL - SPECIAL DELIVERY

Mr. Robert Coffey
Chairman, K-C-A Business Committee
2005 Smith Street
Lawton, Oklahoma

Dear Mr. Coffey:

On Monday and Tuesday, March 19 and 20, Associate Solicitor Ed Hyden and I discussed K-C-A political problems with Philomen Berry, Robert Goombi, Horace Noyobad, and Susie Nestell in Washington. These persons explained that they did not constitute an official tribal delegation but were here as individual members of the three tribes.

Mr. Berry repeated his previous assertion that the chairman and two other members of the business committee elected in December, 1960, are not eligible to serve because they are Civil Service employees. He also pointed out that he, Mr. Goombi, Mr. Redbone, and perhaps two other committeemen, are ineligible because of having missed more than two consecutive meetings of the committee in 1961, which is a violation of Section 4, Article VI of the K-C-A Constitution. If what Mr. Berry alleges is true, it appears that as many as eight members of the K-C-A Business Committee may be obliged to declare themselves ineligible. This would create a serious impasse, as there would not be enough remaining members of the committee to convene individual tribal councils to select replacements, as is prescribed in Section 3, Article VI of the constitution.

I have discussed this matter at length with Mr. Hyden who has offered the following comments:

1. There is no questioning the fact that, according to Section 1, Article V of the constitution, Civil Service employees cannot serve on the committee.

If there are any such members at present, it would be in the best interests of the three tribes for them to withdraw voluntarily.

2. Section 4, Article VI clearly states that any member who misses two consecutive meetings of the business committee except for certain specifically stated reasons is automatically dismissed. The constitution

does not specify whether the meetings to which it refers shall be regular or special meetings, and, therefore, it must be construed to mean both kinds. However, the meetings should be official; that is, they should be properly called and a quorum should be present.

If there are persons presently on the business committee who during 1961 missed two or more consecutive, official meetings (whether special or regular), except for the reasons listed in Section 4, Article VI, they, too, in the best interests of the K-C-A tribes should withdraw voluntarily.

3. If, following the withdrawal of all persons disqualified because of the previous reasons, seven or more members remain, that will be a sufficient number to constitute a quorum and transact business officially in behalf of the three tribes.
4. If, following the withdrawal of persons disqualified because of the previous reasons, fewer than seven members remain, a quorum cannot be raised and the remaining members may not transact any official business on behalf of the tribe, may not elect officers to replace those who have been disqualified, and may not convene meetings of the individual tribal councils or the general council.
5. If the business committee is inoperative, as described in the preceding paragraph, one possible course remains for the convening of tribal councils at which new committee members may be selected. That course is for a group of at least 100 Comanches, 100 Kiowas, and 50 Apaches of voting age to sign a petition requesting the convening of individual tribal councils. This procedure is provided for in Section 3, Article VI. According to this section, the tribal chairman is authorized to call general or tribal council meetings upon not less than ten days' notice after receiving such petitions. The constitution does not provide for anyone other than the chairman to convene such meetings, but in the absence of the chairman, the next ranking officer, or the remaining members of the business committee, might appropriately do so. The intent of the petition procedure is apparently to allow members of the three tribes to request tribal or general councils and this intent is not disturbed if some official, other than the chairman, in his absence, calls the meetings.

6. When the chairman or his substitute receives a petition, he is entitled to satisfy himself that the signatures are valid, that the signers belong to the tribes indicated, and that there is a sufficient number of signers of voting age. Agency and tribal records are available for this purpose. When the chairman or his substitute is satisfied that the proper petitioning procedure has been complied with, he may issue an official notice of the meeting, setting forth the items of business called for in the petitions and making certain that at least ten days' notice is given.

In view of Mr. Hyden's comments it would seem that, even should most of the members of the business committee be found ineligible, there would still remain a means of selecting replacements and putting the committee back into business. If, following your next regular meeting on April 2, you find that a petitioning procedure is necessary in order to convene tribal councils for the purpose of selecting new members, I suggest that the petitions be submitted to the chairman, or in his absence, to the highest ranking officer still a member of the business committee. Should the chairman withdraw, the vice-chairman would be the next person in line. However, I understand that at present there is no official K-C-A vice-chairman, in which instance, the responsibility for receiving the petitions and calling the meetings would devolve upon the tribal secretary, unless he, too, were to withdraw. In the event no officers are left, the remaining members of the business committee might jointly receive the petitions and call the meetings.

In compliance with the Commissioner's promise that someone from the Washington Office would assist you to seek solutions for your governmental problems, I plan to be in Anadarko April 1--3, during which time I hope I shall have the opportunity to meet with the business committee.

Sincerely yours,

(Signed) James E. Officer
James E. Officer
Associate Commissioner

Identical letter addressed to:

Mr. Oliver Woodard
Secretary, K-C-A Business Committee
General Delivery
Carnegie, Oklahoma

cc: Anadarko Area Director

C.
O
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Y

Minutes of special election of the
Comanche Tribe.

The Comanche tribe met at Fort Sill Indian School, Lawton, Oklahoma on April 14, 1962 at 1:30 P.M. Lawrence Tomah Jr., present committeeman served as Chairman and Ned Timbo, present committeeman served as Secretary. The chairman, Lawrence Tomah Jr. stated that this meeting was called by the chairman of the Inter-tribal Business Committee, for the sole purpose of selecting three Comanche Committeemen to serve on the Intertribal Business Committee. No other business would be brought before the tribe. The chairman then stated that this election would be conducted the same as the election that was held by the Comanche tribe on December 5, 1960. He, then further explained that each adult member of 21 years of age or over, of the Comanche tribe would be entitled to three votes and that there would be three ballots, by explaining further that each vacancy would be filled on separate ballot. The Chairman then asked Rev. Joe Niedo to give the invocation, which he did. The Chairman then asked Mrs. Bert Cable to serve as interpreter, for those who spoke the Comanche language, only. Mrs. Cable consented to serve as interpreter. Mr. Tomah asked all those who could not understand English to come forward to the front of the room where there were plenty of vacant seats. No one came forward and Mrs. Cable returned to her seat. The chairman appointed Bob Tomah, Jerome Tahhahwah, Bernard Kahrahrah and Vernon Cable as counters for the meeting.

The chairman then continued with the meeting by saying that the meeting was opened for nomination of ballot #1. Mr. Robert Coffey nominated Edgar Monetathchi. Miss Julia Mahseet then nominated Taylor Noyabad. Miss Mahseet also made a motion that the nomination cease which was seconded. The majority carried on closing the nomination.

Norton Tahquechi asked to be recognized for the purpose of presenting a resolution. The chairman told Mr. Tahquechi that he was out of order as the order of business was for the election of committeemen only.

The chairman called for a vote on Taylor Noyabad. Mr. Noyabad did not receive any votes. The chairman then asked for votes on Edgar Monetathchi. Mr. Monetathchi received 159 votes. Mr. Monetathchi was elected. The election was opened for nominations for the second ballot Bill Red Elk nominated Leonard Riddles. These were seconded by Melvin Kerchee. The chairman called for other nominations, from the floor. (3 times) There were no other nominations. Since there were no other nominations Mr. Robert Coffey then made a motion that Mr. Riddles be elected by acclamation. Vote was 163 by acclamation and none against. This motion carried 174 for the motion and 149 against the motion. The chairman declares that Leonard Riddles elected on ballot #2. The chairman called for nominations for ballot #3. Mr. Harry Wauahdoah nominated Mr. John Howry, which was seconded by Mr. Melvin Kerchee. The chairman then called for other nominations, (3 times). There were no other nominations. Mr. Wauahdoah then made a motion that Mr. John Howry be elected by acclamation. The motion was carried 168 for the motion and 115 against the motion. The chairman declares that Mr. Howry elected on ballot #3.

(continued from page 1)

The Chairman asked for comments from the three newly elected committeemen and they came forward and Mr. Howry commented that he had ill feelings toward those who did not vote for him. He said his work would be for the Comanche tribe and that he was not in it for the money. He stated that he had left his business today to come to this meeting and he would be in it to help the Comanche people.

Leonard Riddles said he wished to thank everyone.

Edgar Monetathchi said he felt very humble and his only regret was that we still have juveniles at the age of 21 as well as over 21. He said that this meeting was conducted in the same manner as the one in December of 1960. He said he was not the leader, rather a servant of the tribe.

All three men promised to cooperate with the Kiowa, Comanche, and Kiowa-Apache Business Committee.

A motion was made by Lawrence Tomah Sr. that the meeting adjourn. The motion was seconded by Melvin Kerchee. Motion carried and the meeting adjourned.

Lawrence Tomah, Jr.

Chairman

(Comanche Committeeman)

Lawrence Tomah

Ned Timbo

Secretary

(Comanche Committeeman)

Ned Timbo

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APR 26 1962

KIOWA AREA FIELD OFFICE