

BEFORE THE CHEROKEE NATION CONSTITUTION  
CONVENTION COMMISSION

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SATURDAY, DECEMBER 5, 1998  
  
PUBLIC SERVICE BUILDING  
  
125 SOUTH SCRAPER STREET  
  
VINITA, OKLAHOMA

A P P E A R A N C E S

- 16 Chairman: Mr. Charles Gourd
- 17 Commissioner: Mr. Jay Hannah
- 18 Commissioner: Mr. Ralph Keen
- 19 Commissioner: Mrs. Louella Hummingbird-Coon

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1 P R O C E E D I N G S

2 MR. KEEN: The first one we have is Meda Frayser; is  
3 that correct?

4 MRS. FRAYSER: Yes.

5 MR. KEEN: Are you prepared to --

6 MRS. FRAYSER: Yes.

7 MR. KEEN: Okay.

8 MRS. FRAYSER: The subject I would like to have  
9 brought forth --

10 MR. FRAYSER: Introduce yourself.

11 MRS. FRAYSER: Well, I'm Meda Frayser from Vinita,  
12 Oklahoma. The subject that I would like to have to be put  
13 into this Constitution is on adoption. I have a good friend  
14 whose daughter and her husband are in the process of adopting  
15 a Cherokee child or a child from the Cherokee Nation, let me  
16 put it that way. They've had this child for over a year.  
17 They are no closer to adoption, legal adoption, I don't think  
18 now as they were the day they got this child. And I think  
19 that is so wrong, and I think something should be put in the  
20 Constitution as to a time limit.

21 I speak from personal experience. We adopted two  
22 children years ago, and one of the greatest days of relief of  
23 my life was the day that we went to the lawyer and had our  
24 child legally adopted in our name. And these people are  
25 waiting day after day, because they don't know that perhaps  
1 that child might be taken away from them, and that is nothing  
2 but pure agony. And not only that, the Cherokee Nation is  
3 paying these people. I have no idea how much, but they're  
4 paying them monthly. In other words, this is a foster home;  
5 this is a foster child. Look how much money the Cherokee  
6 Nation could save if they didn't do that. They could put that  
7 money to educational uses or any other use, but give these  
8 people a chance to legally adopt their children. And I hear  
9 there's 20-some families that are in the same boat as my  
10 friends are. Gentlemen, this isn't right. This isn't right.  
11 There should be something in the Constitution as to time  
12 limit.

13 Our first child, we had to wait a year, the second child

14 we had to wait three months. And if people want to go down  
15 and take a child as their own, they shouldn't have to wait  
16 forever. So I hope that something will be put in the  
17 Constitution to rectify this problem. Thank you.

18 MR. KEEN: Ma'am, if I may ask. These families that  
19 you're referring to, are they adopting Indian children?

20 MRS. FRAYSER: Sure.

21 MR. KEEN: Is that what we're discussing? And the  
22 Cherokee Nation is involved in that process?

23 MRS. FRAYSER: Sure, yes. And they've asked and  
24 asked and asked and they haven't -- it seems as though the  
25 judicial system just can't find time to go down, and it would  
1 take probably all of five minutes to go through because the  
2 papers, I'm sure are already taken care of. At least it took  
3 us about five minutes to adopt our children.

4 MR. KEEN: Uh-huh.

5 MRS. FRAYSER: And it isn't such a long process that  
6 would involve a lot of time.

7 MR. KEEN: The adoptions that you had done, did both  
8 of the natural parents consent to the adoption?

9 MRS. FRAYSER: Sir?

10 MR. KEEN: Did you have consent of the natural  
11 parents?

12 MRS. FRAYSER: Oh, sure.

13 MR. KEEN: The families that you're talking about  
14 now, these 20 families, is that a similiar situation?

15 MRS. FRAYSER: I don't know. I don't know. I'm  
16 getting my information from the grandmother.

17 MR. KEEN: Okay.

18 MRS. FRAYSER: And she, of course, is connected with

19 the daughter and her husband that are just in agony because  
20 they -- they -- you know, you get pretty attached to these  
21 children in the first five minutes.

22 MR. KEEN: Sure.

23 MRS. FRAYSER: And you don't want anything to take  
24 them away from you.

25 MR. KEEN: The reason I posed that question is  
1 because as an attorney I've handled several adoptions, and it  
2 can make a tremendous difference whether or not you have the  
3 consent of the natural parents, as opposed to when you don't.

4 MRS. FRAYSER: Well, I'm assuming they do have the  
5 approval of the parents.

6 MR. KEEN: Uh-huh.

7 MRS. FRAYSER: Or they wouldn't have the child in  
8 the first place.

9 MR. KEEN: Well, now, the situation usually is the  
10 natural mother says, okay, and then there's a father out there  
11 floating around that says, no, I don't want -- you know, want  
12 to retain my parental rights.

13 MRS. FRAYSER: Surely 20 families, though, can't  
14 have the same problem, so I think something should be done  
15 about that.

16 MR. KEEN: Okay.

17 MR. GOURD: I think one of the -- in listening to  
18 your discussion, there are related issues to the adoption  
19 process. I would like your thoughts on each of these kinds of  
20 questions. They've come up, for example, about adoption that  
21 affects citizenship. When you go to become a member and you  
22 provide the birth certificates, there's a code somewhere, a

23 number or something. Every state has a process that marks  
24 that birth certificate somehow that points it out as an  
25 adoption.

7

1 Under the current rules to become a citizen of the  
2 Cherokee Nation, if there's an adoption and symbol or signal  
3 or code anywhere on that birth certificate, it's denied, even  
4 though the parents of that child who was adopted -- and I  
5 could understand, you know if they adopt an Indian kid that  
6 automatically doesn't make them Indian by blood -- but as far  
7 as the Constitutional issue, because the issue of citizenship  
8 and other records has come up. What would be your suggestion  
9 as far as adoptions go to retain their right to citizenship?

10 MRS. FRAYSER: Well, we have that very same problem.  
11 We have that problem in our family right now. Our son, our  
12 youngest son, would like to become a member of the Cherokee  
13 Nation. He is, as I said, an adopted child, and I applied for  
14 him. Well, they came back and says we have to have his birth  
15 certificate. We have never opened his original birth  
16 certificate because we did not want to know. If we did not  
17 know his biological parents, then we would never have to lie  
18 to him. If he said, who are my mother and father? We could  
19 say, we don't know. And so he does not want to open -- he  
20 does not want that birth certificate to be opened.

21 MR. GOURD: Right.

22 MRS. FRAYSER: Because he says we are his parents.

23 MR. GOURD: Exactly.

24 MRS. FRAYSER: We took him in when he was not quite  
25 five month's old and we're the only parents he's ever had.

8

1 MR. GOURD: Right.

2 MRS. FRAYSER: And he does not want to know anything

3 about his others; therefore, he cannot become a member of the  
4 Cherokee Nation because we refuse to open that original  
5 adoption -- I mean the original birth certificate.

6           MR. FRAYSER: I might add that welfare told us that  
7 he was a half-breed and I believe that he's a half-breed. He  
8 could even be more, just like our first son was half. And I  
9 believe as much as I've been associated with Indians, I would  
10 not question one bit that he's half. Go ahead.

11           MRS. FRAYSER: Well, that's all I have to say,  
12 except that I would love for our son to be a member of the  
13 Cherokee Nation.

14           MR. GOURD: The reason I asked in reference to that,  
15 we had a very similar circumstance where a lady had a problem.  
16 They accepted her two sons, but not her daughter, and this was  
17 her natural daughter, and yet they would not -- because on the  
18 birth certificate this is the natural mother, but it said  
19 adoption, the records were sealed in Tulsa. So to protect the  
20 confidentiality process, I got my good friend, Yvonne Kauger,  
21 who is a Chief Justice of the Oklahoma Supreme Court, to sign  
22 a confidentiality order to release the records into the  
23 membership office, registration office, and that record is  
24 sealed and will never be looked at by anybody else. But you  
25 know, it seemed to me -- so the issue of citizenship involving  
9  
1 adoptions at some point in time, although that may not be a  
2 Constitutional issue, at some point in time, we need to  
3 address it.

4           MRS. FRAYSER: Well, I've always feel like if we got  
5 his original birth certificate and opened it, it could be very  
6 embarrassing to this woman here or this man here. They might

7 be the mother of our son, and that wouldn't be right, that  
8 wouldn't be right.

9 MR. GOURD: That's a major issue nation-wide. I was  
10 listening to public radio the other day and there was a number  
11 of stories involving this very issue in other states who have  
12 opened adoption records for --

13 MRS. FRAYSER: Yes.

14 MR. GOURD: -- for people, and the parents didn't  
15 want it.

16 My second question involves the whole issue of Indian  
17 Child Welfare placement of children. Do you perceive this  
18 problem to be one of the structure of the courts or the lack  
19 of operation of the courts? There's a court problem here.

20 MRS. FRAYSER: Lack of operation.

21 MR. GOURD: Lack of operation?

22 MRS. FRAYSER: Yes, it seems as though.

23 MR. GOURD: With the child welfare programs and  
24 issues being brought forward in the district courts, where's  
25 the -- so it involves the operation of the courts?

10

1 MRS. FRAYSER: Uh-huh.

2 MR. GOURD: Okay. Also in reference to Indian Child  
3 Welfare, we have adoptions that happen outside of the  
4 boundries, and the Indian Child Welfare Act says that the  
5 Cherokee Nation has the authority to get involved with for the  
6 benefit of those children in placement for adoption outside of  
7 our boundries in other states. Do you think the Cherokee  
8 Nation has as an issue on adoption; should get involved in  
9 other adoptions or placement of children outside of the  
10 boundries? Because that has become an issue.

11 MRS. FRAYSER: Well, I think wouldn't that --

12 wouldn't that involve how many people are wanting -- in the  
13 Cherokee Nation that would like to adopt children? If you  
14 have enough people in the Cherokee Nation that really wants to  
15 adopt children and would prove to be good parents and have a  
16 good home, it seems like they should be -- be first on the  
17 list.

18 MR. GOURD: Okay.

19 MR. KEEN: Under the Indian Child Welfare Act the  
20 Tribe, such as Cherokee Nation, has a right to intervene in  
21 any adoption that involves a tribal member or a child who is  
22 eligible for membership. And the purpose of that intervention  
23 is for the tribe to enforce its rights under the Indian Child  
24 Welfare Act. What that would accomplish is just what you're  
25 saying, is that it invokes a list of the preferences to where  
11  
1 this child can be adopted out and whether or not the adoption  
2 should occur.

3 MR. HANNAH: That Act has become most active in the  
4 past five years. We're talking about the Indian Child Welfare  
5 act of 1978.

6 MR. KEEN: Seventy-six. Is it '76? I think you're  
7 right.

8 MR. HANNAH: My wife and I have attempted to adopt  
9 an Indian child since 1990. It's going to be 1999 soon and  
10 I'm afraid I'm getting a little long in the tooth. I won't  
11 say that about my wife. In most cases we've discovered that  
12 children that were being brought into a file arrangement for  
13 us were oftentimes coming from out of state. The difficulties  
14 is that the states that do not have a predominance of Native  
15 American population at the time that the child is being

16 offered under the Indian Welfare Act, if there is any  
17 designation whatsoever in the adoption profile that the child  
18 has a degree of Indian blood unproven, it is simply  
19 self-stated, then the courts are mandated to review that file  
20 for Indian family placement.

21       And yet with the proliferation of other states looking  
22 to, in our case Cherokee Nation for assistance in that  
23 process, the entire process has become extremely clogged. We  
24 put an onerous burden upon the adoption unit within the  
25 Cherokee Nation: the high incidents of non-native American  
12  
1 population states referring cases in and the requirement of  
2 our adoption officials to verify the Indian blood in the first  
3 place. I know that in at least three cases that my wife had  
4 an opportunity to look at, there was no documented citizenship  
5 or degree of Indian blood in the family, whatsoever. The  
6 birth mother had simply made a statement, oh, yes, I'm part  
7 Cherokee, which automatically with the court system, in this  
8 case in California, pitched that file into the review by the  
9 Cherokee Nation.

10       So I share -- I share the burden of your concern over  
11 young people that are both protected by the Indian Child  
12 Welfare Act and those that are somehow making their way into  
13 the system, whether it be legitimate or simply by suggestion.  
14 It is a thorny set of issues that must, in fact, be solved.  
15 You've raised a very important issue.

16               MRS. FRAYSER: I might add that we did not get our  
17 children through the Indian service. We got our children  
18 through the Department of Human Services and we went to  
19 Oklahoma City. And the reason we got two Indian children was  
20 because nobody wanted them. That was years ago back in the

21 1950's, nobody wanted Indian children. So we applied in  
22 January, we got the child in March because nobody wanted him.  
23 And so there's a big difference now, people are wanting Indian  
24 children and that's the way it is.

25 MR. FRAYSER: I might add that our fee, lawyer fee  
13  
1 when we adopted children, \$35.00. I think that it would be  
2 well for our tribe if they're going to place those children  
3 should take care of the legal fee. Because I've heard lately  
4 what it costs and it just boggles my mind how much it costs,  
5 and it's the same process of adopting a child then as it is  
6 now.

7 MR. HANNAH: \$12,000.00 average.

8 MR. FRAYSER: Okay. Who can afford that? Do you  
9 know how many Indians can afford \$12,000.00 to adopt an Indian  
10 child? Very few.

11 MR. HANNAH: Very few.

12 MR. FRAYSER: Very few.

13 MR. HANNAH: But I'll tell you even those of us who  
14 have a spirited heart for adoption and are willing to put the  
15 money to the forefront, we still have problems, my friend.

16 MR. FRAYSER: Yes, all right, all right.

17 (Whereupon, Ms. Coon entered the room and was  
18 introduced.)

19 MR. KEEN: Was there any more questions from Mrs.  
20 Frayser before we move on to our next speaker? If not, I'll  
21 invite Charles Frayser. Is that you, sir?

22 MR. FRAYSER: That's me.

23 MR. KEEN: Okay.

24 MR. FRAYSER: I was recently made an elder of the

25 Cherokee Nation. I was a representative here for several  
14  
1 years from this district. I'd like to comment that for my  
2 attendance at the meetings from here, my expense and  
3 everything, I received \$14.00. I would like to put that on  
4 record.

5 MR. KEEN: You received \$14.00 for attending?

6 MR. FRAYSER: Fourteen, that was for car expense and  
7 everything.

8 MR. KEEN: For attending this meeting today?

9 MR. FRAYSER: No, for attending a meeting at  
10 Tahlequah --

11 MR. KEEN: Oh, okay, I apologize.

12 MR. FRAYSER: -- when I was a representative.

13 MR. GOURD: Community rep.

14 MR. KEEN: I see.

15 MR. FRAYSER: What?

16 MR. GOURD: Community Rep Association?

17 MR. FRAYSER: I was community representative.

18 MR. GOURD: Yes, sir.

19 MR. FRAYSER: All right. I've -- I'm a graduate of  
20 Bacone College and Haskell Indian Institute. I just -- the  
21 first thing I'd like to comment on was - I intended to comment  
22 before Mr. Hoskins beat me to it - that I think this meeting  
23 is a disgrace in the fact that we received such little time,  
24 notice of the meeting. Many Indians aren't articulate. A lot  
25 of them, like myself, are not intelligent. It takes us some  
15  
1 time to think of what we want to talk about.

2 Three things I'd like to mention is - and I know there's  
3 nothing here we can do about it - but blood quorum. I don't  
4 know where you want to put it, but I don't care, but I think

5 there ought to be a blood quorum. I had a friend who was on  
6 the election committee and he said we're voting people that  
7 are 1/256, and that was 15 years ago. I would doubt if we  
8 weren't voting people that are 1/1000 by this time. And I  
9 think it's -- what it is, is the tail is wagging the dog. I  
10 don't care where you cut the line, but I think the line should  
11 be cut.

12 Now, the second thing I think, and this is also a  
13 disgrace, is the attendance of the tribal council meetings  
14 where several members can absentee themselves from the meeting  
15 and close down the whole Cherokee Nation. Something should be  
16 done about that, that a minority can shut down, can silence  
17 the majority. That's un-American, and I suppose in tribal  
18 it's the same way. And I think some remedy should be made on  
19 our judicial system.

20 I was amazed when the police broke in to search the  
21 Chief's office that has led to so much conflict during the  
22 last three or four years. In the first place, I think it  
23 would take the FBI and everybody else to find something in the  
24 Cherokee offices. I've been in there and I've asked for  
25 statements and things and nobody could -- nobody knew  
16  
1 anything. So I wonder why eight policemen, who probably  
2 aren't very smart to begin with, could find something in the  
3 Cherokee office is beyond me. In the second place, why the  
4 judges didn't stop that? The judges could have had a  
5 restraining order against those policemen from going into that  
6 office when the Chief wasn't there. And I think they're to  
7 blame, and I think we ought to have some way of electing a  
8 change. There are -- I don't know who appointed those judges.

9 MR. KEEN: The Chief.

10 MR. FRAYSER: Who?

11 MR. KEEN: The Chief.

12 MR. FRAYSER: What Chief?

13 MR. WICKLIFFE: Wilma, I think.

14 MR. KEEN: Well, Wilma appointed all three, but  
15 Chief Byrd reappointed Dwight Birdwell. So two of them by Ms.  
16 Mankiller; one of them by Joe Byrd, so far.

17 MR. FRAYSER: Well, I think there should be some way  
18 of changing those voting -- maybe -- maybe they would have --  
19 well, vote one of them in at a time or something. I -- I  
20 cannot, knowing the Cherokees, I can't believe that three guys  
21 could sit there year in and year out without getting together  
22 on things.

23 MR. KEEN: Mr. Frayser, you've raised some  
24 interesting points here for discussion. On your blood quantum  
25 that you would require, what would you draw the line at?

17

1 MR. FRAYSER: I wouldn't care. I'm a quarter blood.  
2 If they want to make it half, that's fine and dandy with me.  
3 They're not going to -- they are not going to keep me from  
4 being a Cherokee because my history is with that. My  
5 grandfather -- my great grandfather came over on the Trail of  
6 Tears. That street out there is named after him. My  
7 grandfather was the judge of the Cherokee Nation of the  
8 Northern District. He also represented this district. I have  
9 a long history with the Cherokees, so they're not going to  
10 wipe that out. If they want to make it half, that's great  
11 with me.

12 MR. KEEN: Well, one of the problems with using  
13 blood quantum as a requirement for membership is virtually the

14 tribe will dissipate, will slowly decrease in size until  
15 there's no one eligible for membership in theory. And some of  
16 the smaller tribes are experiencing that problem because they  
17 continue to marry outside of the tribe, and in some smaller  
18 tribes there's not enough membership to continuously keep the  
19 bloodline going. And so those tribes literally die, die out,  
20 because no one is eligible -- you know, the membership element  
21 precludes their children and grandchildren from being tribal  
22 members.

23           MR. HANNAH: Osage Nation is a classic example.  
24 They only within the past 24 months have reopened their tribal  
25 rolls, and I think at the time they did that the actual number  
18  
1 of enrolled Osage had dropped to within 1200 members of their  
2 tribe. You raise an interesting issue. I myself have seen  
3 tribal members with blood quantum that were calculated to  
4 four digits. At the same time, the other issue of if we are  
5 to ensure whether it is historical or cultural, the existence  
6 of the Cherokee Nation because of the mobility of our people  
7 these days. The fact that we have 190,000 plus members and  
8 many of them living beyond the boundaries of the State of  
9 Oklahoma, we will surely dissipate, as Mr. Keen has indicated,  
10 in the next century.

11           MR. FRAYSER: Well, the Cherokees in North Carolina,  
12 they're a good example of that.

13           MR. GOURD: What would be your response to the  
14 concerns that have been raised by people who come forth and  
15 say the current membership you traced to someone who was on  
16 the Dawes Commission Roll and blood degree is calculated from  
17 that amount? And we know for a fact that on the Dawes

18 Commission Roll, brothers and sisters were assigned different  
19 degrees of blood so that their descendents would have the same  
20 genetic or biological blood degree. But by the record that's  
21 available, one could be a quarter blood and the other one  
22 would be a sixteenth or a thirty-second, and yet they would be  
23 descended from full siblings. Would you be in favor, as an  
24 alternative, some provision -- I recall a community rep  
25 committee one time saying that the Chief and the Deputy Chief  
19  
1 should be a minimum of a quarter blood. If there's not a  
2 blood degree requirement for citizenship, would you be in  
3 favor of one for holding of elected office?

4 MR. FRAYSER: Yes, I would. I certainly would. I  
5 know of an example right here that the guy told me that he  
6 didn't know that he was an Indian, and then when he had a  
7 chance to be a representative, suddenly, he remembered that he  
8 was, by golly, it would be one of those fractions.

9 MR. GOURD: Uh-huh.

10 MR. FRAYSER: There you are. You know the dollar  
11 sign can change many ideas. To me, the Dawes Commission, I've  
12 always heard that they were very, very -- in other words, if  
13 you couldn't figure out what you were, you had to bring in  
14 witnesses to prove what you were, or if you weren't known.  
15 You couldn't just come in and say, well, I'm half. You had to  
16 have somebody prove that you were half. I think that they  
17 were more strict than you are -- than what you say.

18 MR. GOURD: Well, that's just what has been  
19 commented, you know. We hear that from people who have their  
20 certificate degree of Indian blood and they always say, well,  
21 I'm really more Cherokee, but the Dawes Commission didn't put  
22 the right number down. You know, I'm just saying that is what

23 is commented.

24 MR. FRAYSER: I wish I had a quarter for every time  
25 I've heard somebody say my grandmother was a fullblood; she  
20  
1 could not speak English. I wish I had a quarter for it.

2 Everybody's grandmother was fullblood.

3 MR. KEEN: Mine was 7/8, almost fullblood.

4 MR. GOURD: Almost, almost.

5 MR. KEEN: Sir, with the issue raised on attendance  
6 and council members, we've had several -- this issues has come  
7 up before on issue of council members, and we've had on  
8 suggestion about having a mandatory attendance rule, kind of  
9 a three strikes you're out rule, where if you miss three  
10 consecutive meetings without good cause, then that's grounds  
11 for removal from the council. What would your suggestion --  
12 you know, how would you suggest that a rule be implemented to  
13 require attendance at a council meeting?

14 MR. FRAYSER: That's why I wish you would have give  
15 us about two or three days to think about this meeting.

16 MR. KEEN: Well, sir, you can come to our next one  
17 next week.

18 MR. FRAYSER: I don't have the solution. I don't  
19 have the solution. But what I'm saying is it isn't right for  
20 a minority --

21 MR. KEEN: Okay. I agree. I mean absolutely. But  
22 if we're about making change in our Constitution, we've got to  
23 try to formulate a remedy to stop that problem.

24 MR. FRAYSER: Well, the thing is this situation may  
25 never arise again. This situation may -- I can't conceive,  
21  
1 and the voters will take care of this, should take care of

2 this at the next election --

3 MR. KEEN: All right.

4 MR. FRAYSER: -- with those people that are  
5 recalcing (sic.) about going to the meetings.

6 MR. KEEN: Let me also add regarding your comment  
7 about one-day notice. We're going to have at least three or  
8 four more public hearings before we wind these things down  
9 here in the Cherokee Nation. We've got one in Tahlequah  
10 scheduled, we've got one in Belfont scheduled, we've got one  
11 in Nowata next week schedule. Where else?

12 MR. GOURD: Sallisaw Middle School.

13 MR. KEEN: We've got one in Sallisaw scheduled.  
14 Also, in addition to that, if you'll just pick a copy of our  
15 rules, it has our mailing address and Charlie can give you  
16 that. I don't know it. We have a mailing address established  
17 where regardless of what meeting we hold, you can always write  
18 down your suggestions and mail them to us. We've always been  
19 open to that. And I would invite you to give your suggestions  
20 some more thought, and please write them down and send them to  
21 us or attend some more --

22 MR. FRAYSER: I might add that I was on the  
23 committee to review this Constitution, and I was with George  
24 Underwood, he was one of the members.

25 MR. KEEN: In 1975?

22

1 MR. FRAYSER: Yes, yes, all right.

2 MR. KEEN: With your comment regarding the judicial  
3 system, you made a comment about maybe electing the judges.  
4 Would you advocate election of our high court judges rather  
5 than appointment?

6 MR. FRAYSER: Yeah, it wouldn't be a bad idea at

7 all.

8 MR. KEEN: Okay.

9 MR. WICKLIFFE: Let me ask you one. Do you think we  
10 need district courts away from Tahlequah, like we used to have  
11 in the old 1839?

12 MR. FRAYSER: No, no, no, no, no.

13 MR. WICKLIFFE: Okay.

14 MR. FRAYSER: I would like to just say that my  
15 grandfather was a judge in the 1880's and late 1890's and they  
16 didn't have any jails here. And one of the things, if they  
17 didn't shoot the guy or turn him loose, the only alternative  
18 they had was tying him to a tree and whipping him with a  
19 leather strap. And my grandfather would sentence a man to be  
20 tied to a tree and whipped, then he would get on his horse and  
21 ride by himself to the next place where he was to hold court.  
22 Now days they would shoot him before he got out of town.

23 MR. KEEN: Well, are there any other questions for  
24 Mr. Frayser? If not, sir, we do appreciate you participating  
25 and bringing us your thoughts and ideas.

23  
1 MR. FRAYSER: Thank you for listening to me.

2 MR. HANNAH: We're very honored to have you with us  
3 today.

4 MR. FRAYSER: You'll have second thoughts about  
5 that.

6 MR. HANNAH: I assure you that that's not the case.

7 MR. KEEN: Our next speaker that we have registered  
8 here is Mr. Jimmy Gray.

9 MR. GRAY: I didn't have anything. It was just if I  
10 had something to comment on, I wanted to be able to do it.

11 MR. KEEN: I see.

12 MR. GRAY: I didn't know exactly what that was for,  
13 you know, but I didn't have any special thing.

14 MR. KEEN: Thank you for having enough interest to  
15 come and see what we we're doing here. We appreciate you.

16 MR. GOURD: If at any of our other hearings if  
17 something comes up and you want to comment, too, like at  
18 Nowata next week or down in Tahlequah, you're already  
19 registered, bring your badge with you and introduce yourself  
20 and you can speak to the record for oral presentation, or make  
21 sure you send us written comments, whatever you want.

22 MR. KEEN: Okay. We don't have any other speakers  
23 signed up presently to go on the record, so we'll go off of  
24 the record for now.

25 (December 5, 1998, meeting concluded.)

24

1 C E R T I F I C A T E

2 STATE OF OKLAHOMA )  
 ) ss.  
3 COUNTY OF ADAIR )

4

5 I, Paula D. Louderback, Certified Shorthand  
6 in and for the State of Oklahoma, do hereby certify that on  
7 Saturday, December 5, 1998, at the Public Service Building,  
8 125 South Scaper Street, Vinita, Oklahoma, the following  
9 forum was held. The testimony was reduced to writing by me in  
10 stenograph and thereafter transcribed by me, and is fully and  
11 accurately set forth in the preceding 23 pages.

12 I do further certify that I am not related to  
13 nor attorney for any of the said parties, nor otherwise  
14 interested in the event of said action.

15 WITNESS my hand this 28th day of December, 1998.

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Paula D. Louderback  
Certified Shorthand Reporter