
Santa Clara Pueblo v. Martinez (1978) Trial
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08: Patrick Gutierrez-Cross Exam

U.S. District Court for the District of New Mexico

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1 A Well, the Constitution was adopted for the best interest
2 of the Pueblo and the people. For example, to look into
3 any interests, common welfare, of every individual, that
4 is 18 years old, has the right to vote, and that's about
5 all I wanted to point out.

6 Q Well, when the Constitution was adopted, did that change
7 things just a little bit or a great deal? Was that a big
8 change or a small change, in your opinion?

9 A This new deal?

10 Q The Constitution of 1935.

11 A Yes.

12 Q Which one, sir?

13 A The Constitution.

14 Q Was that a major change or just a little change?

15 A It was a major change.

16 Q Were you on the Tribal Council in 1939?

17 A Yes, sir.

18 Q Is your signature on the Ordinance of 1939?

19 A Yes.

20 Q Thank you.

21 MR. COLLINS: No further questions.

22 CROSS-EXAMINATION

23 BY MR. PRELO:

24 Q Mr. Gutierrez, did Barbara live in your home when she had
25 Anita Mae?

- 1 A What?
- 2 Q Did Barbara live in your home when she had the baby
- 3 Anita Mae?
- 4 A Live at my home?
- 5 Q Yes, sir.
- 6 A Yes.
- 7 Q Do you know of your own knowledge that she was not married
- 8 at that time?
- 9 A Who?
- 10 Q Barbara.
- 11 A No, she wasn't married.
- 12 Q And how much later did she get married?
- 13 A About a year later.
- 14 Q Thank you, sir.

15 MR. COLLINS: No further questions, Your Honor.

16 THE COURT: You may step down.

17 MR. COLLINS: Plaintiffs will call Herbert Martinez.

18 HERBERT MARTINEZ,

19 having been first duly sworn according to law, upon his oath
20 testified as follows:

21 DIRECT EXAMINATION

22 BY MR. TABADASH:

23 Q Would you please state your name and your residence?

24 A Herbert Alton Martinez.

25 MR. PRELO: If the Court please, is this witness on