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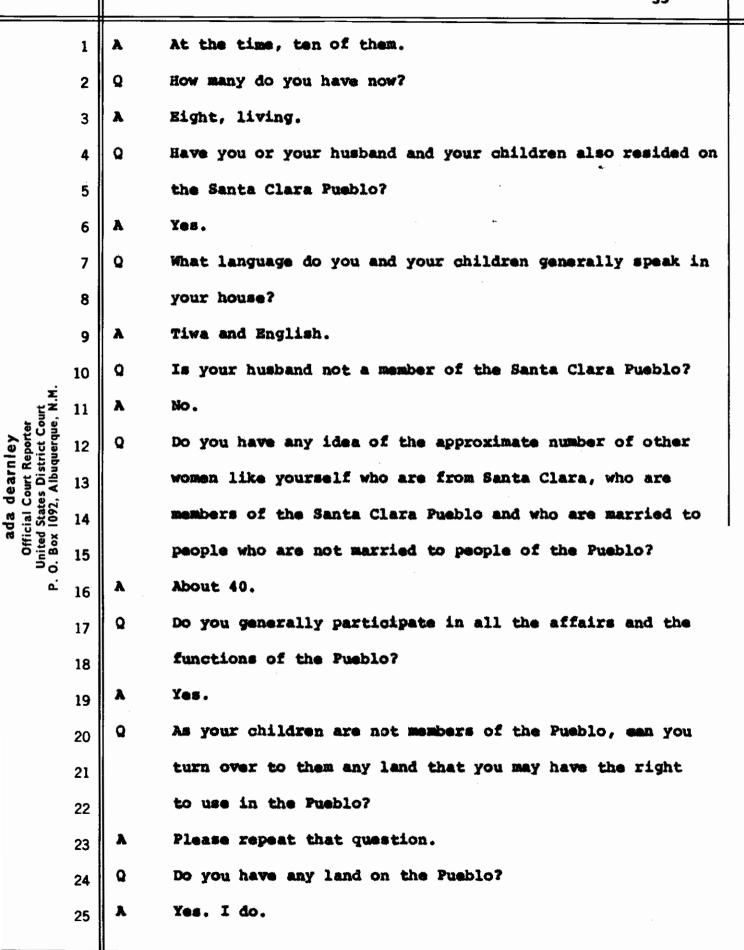
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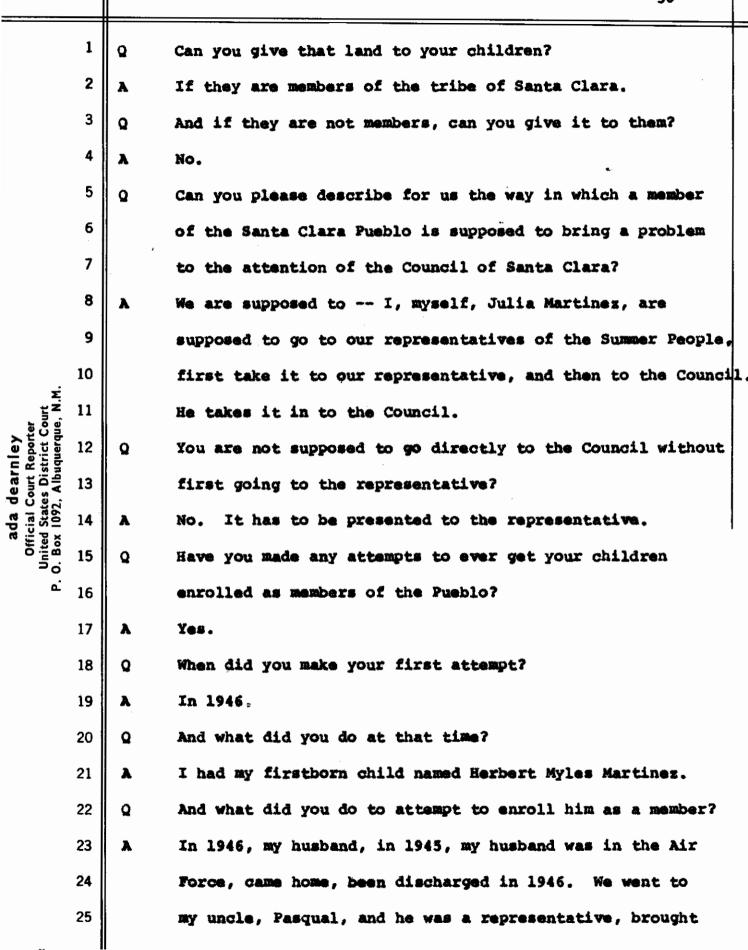
U.S. District Court Docket No. 9717 Civil; 436 U.S. 49 (1978)

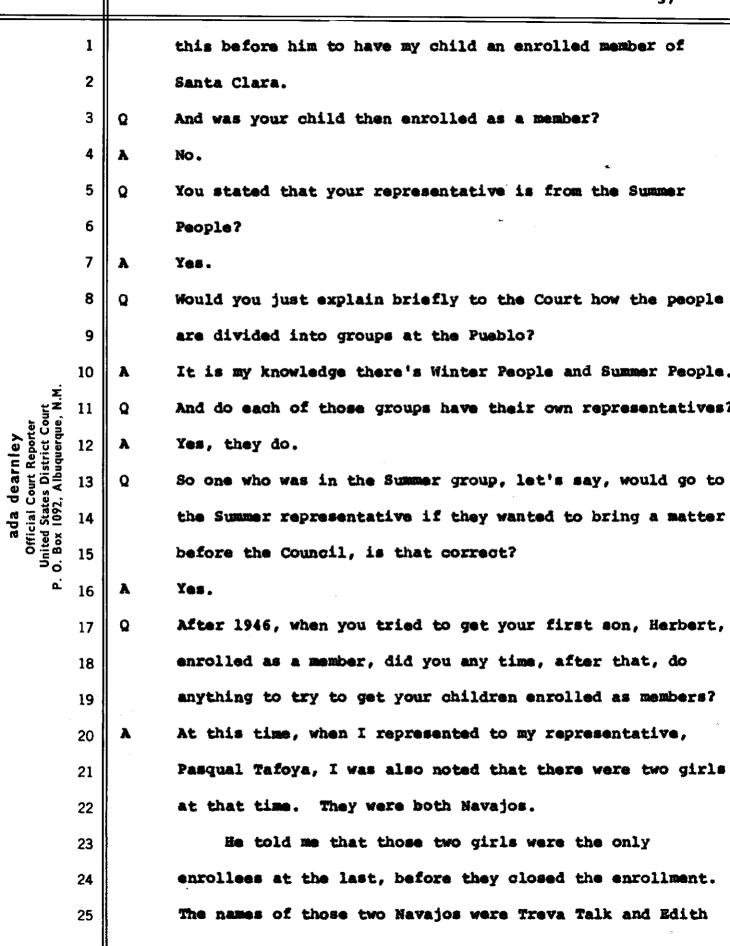
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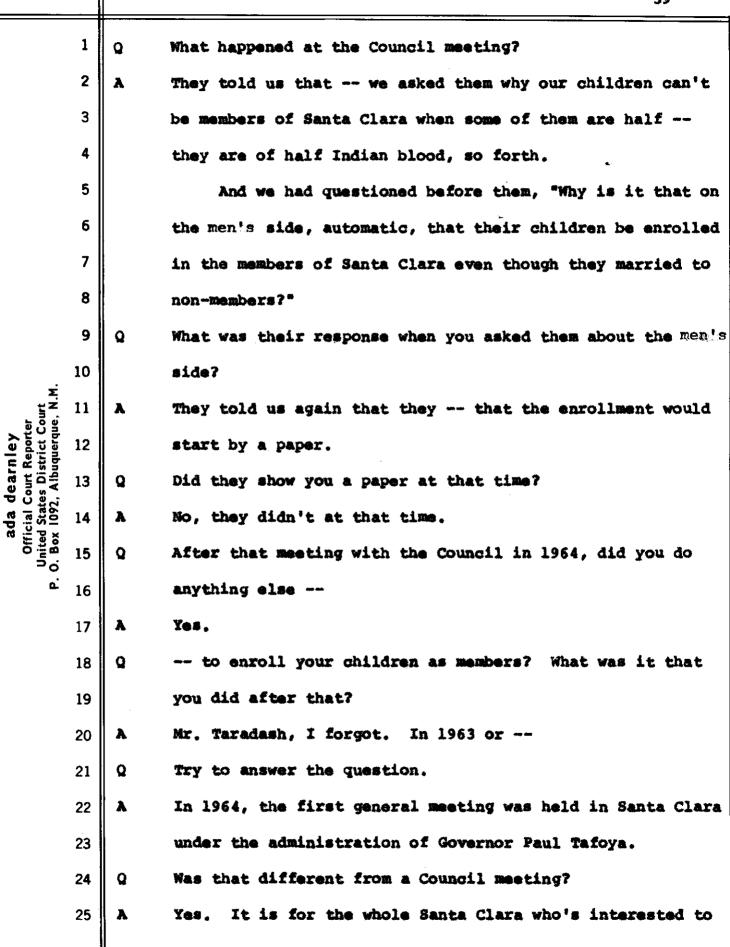
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1
                     testified as follows:
          2
                                         DIRECT EXAMINATION
          3
              BY MR. TARADASH:
          4
              Q
                     Would you please state your name for the record.
          5
              A
                     Julia Martines.
          6
              Q
                     Where do you live, Mrs. Martinez?
          7
                     Santa Clara Pueblo.
          8
              Q
                     Have you lived there all your life?
          9
              A
                     Yes.
         10
              Q
                     When were you born?
    United States District Court
O. Box 1092, Albuquerque, N.M.
         11
              A
                     I was born October 10th, 1921.
  Official Court Reporter
ada dearniey
              Q
                     Are you a member of the Pueblo?
         12
                     Yes.
         13
                     Are your parents both members of that Pueblo?
         14
              Q
         15
              A
                     Yes.
                     Are you married, Mrs. Martines?
              Q
         16
              A
                     Yes.
         17
              Q
                     When did you get married?
         18
              A
                     In December of 1941.
         19
              Q
                     Have you had children with your husband after you had been
         20
                     married?
         21
              A
                      Yes.
         22
         23
              Q
                      Are those children members of the Pueblo?
                      No, they are not.
         24
              Q
                      How many children do you have?
         25
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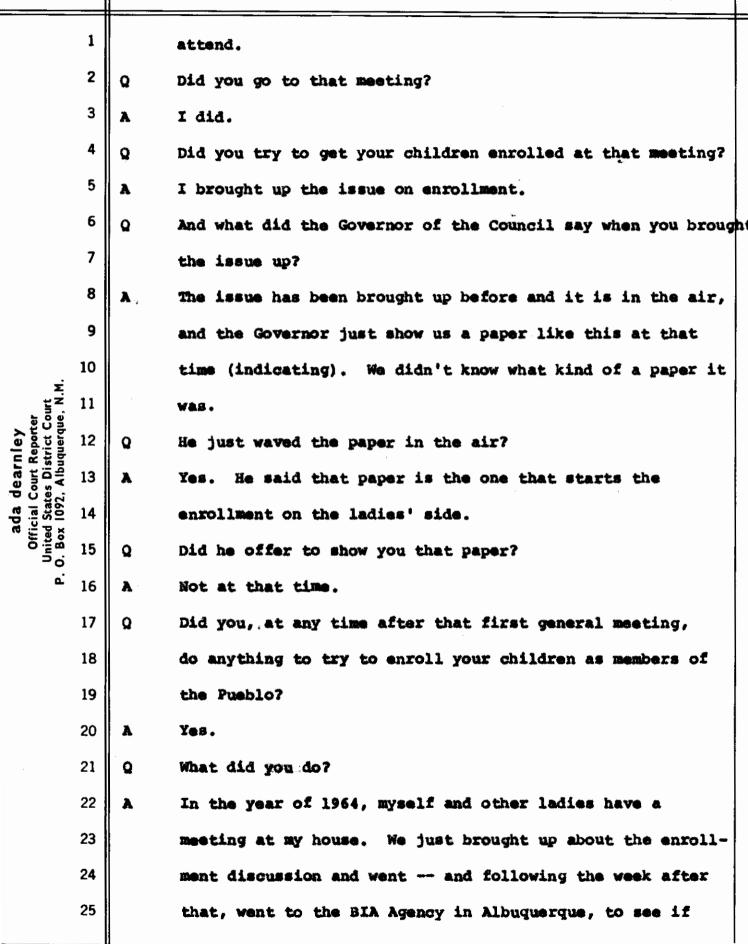




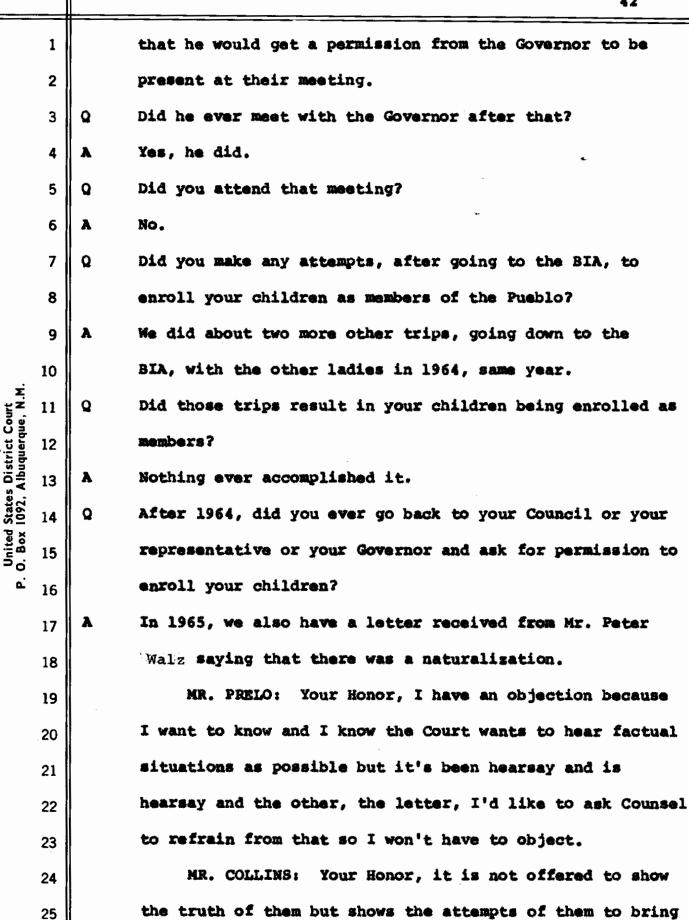


	1		Talk, both now married.
	2	Ω	My question, Mrs. Martines, is, after 1946, after you and
	3		your husband went to see your representative, Pasqual, did
	4		you, after that, when you were told that your son would
	5		not be enrolled, did you then at any time, after that,
	6		try to enroll any of your children in the Pueblo?
	7	A	Yes.
	8	Q	When was that?
	9	A	In the same year, in 1964.
	10	Q	And what did you do in 1964?
ourt e, N.M	11	A	Myself and a few other ladies were before the Governor to
dearnley Court Reporter tes District Court 2, Albuquerque, N.M.	12		ask permission to see that we could go before the Council.
dearnley Court Repor es District ., Albuquerq	13	Q	When you say "other ladies," which ladies are you referring
ada de Official Cou United States O. Box 1092, A	14		to?
Offi United O. Box	15	A	There was myself, Lydia Garcia, at that time, and, also
ď.	16		I don't remember the two others. There was three of them
	17		that went before the Governor.
	18	Q	Were these women also married to non-members of the Pueblo?
	19	A,	Yes.
	20	Q	And what happened when you went to see the Governor?
	21	A	The permission was granted at that time.
	22	Q	And did you
	23	λ	By the Governor, Paul Tafoya.
	24	Q	Did you go to the Council after that?
	25	A	Yes, we did.



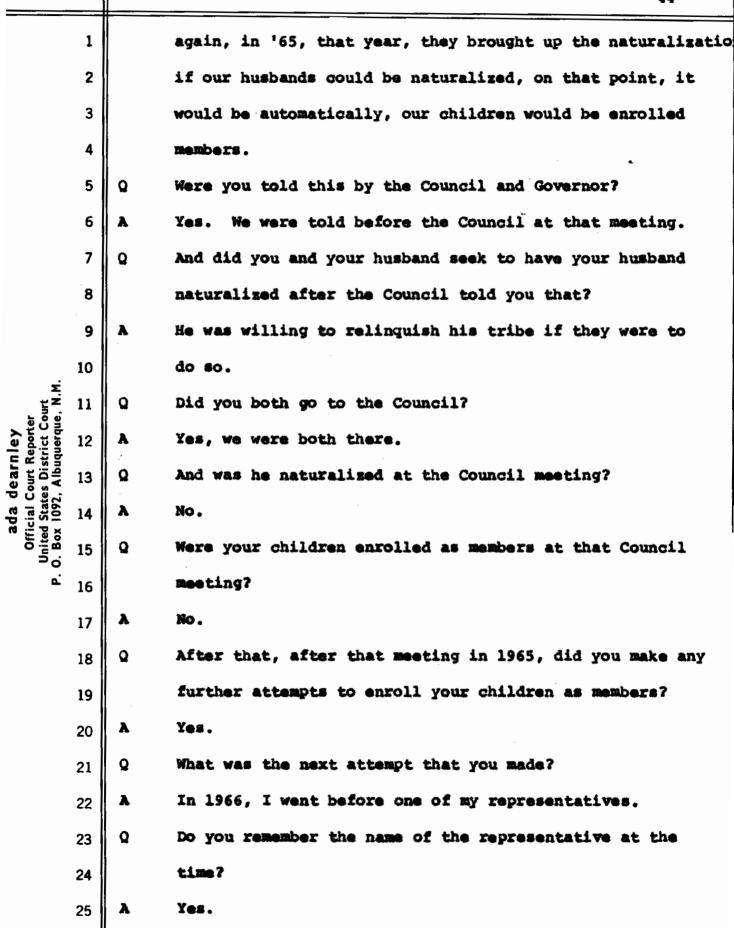


	1		something could be done to have our children members of the
	2		tribe.
	3	Q 1	Why did you go to the BIA in Albuquerque?
	4	λ	Because we want to get help.
	5	Ω .	And what happened at the BIA in Albuquerque when you went
	6		there?
	7	A	We had talked at the Superintendent, Mr. Peter Walz, at
	8		that time.
	9	Q	Did you get permission from the Governor before you went
	10		to that meeting with Mr. Walz in order to go see Mr.
rter Court que, N.M	11	,	Walz?
earnley ourt Reporter i District Court Albuquerque, N.M	12	A	I am not too sure if we did, but that's the only way we
	13		could have gone out.
da ial Stat 1097	14	Q	And you could not go to take a problem to the outside
a Offic United O. Box	15		until you had first got permission from the Governor?
٩	16	A	Yes.
	17	Q	What happened as a result of the meeting with Mr. Walz?
-	18	A	Mr. Walz asked us, when we went in there, what was our
	19		problem?
	20	- +	We told him that we came down to see how to see
	21		how we could have help to have our children as members of
	22		Santa Clara because we're married to non-Santa Clara.
	23	Q	Was he able to help you at that time?
	24	A	He told us that if he could have a way to come up to the
	25		Santa Clara Pueblo for a meeting. But he also told us
		1	

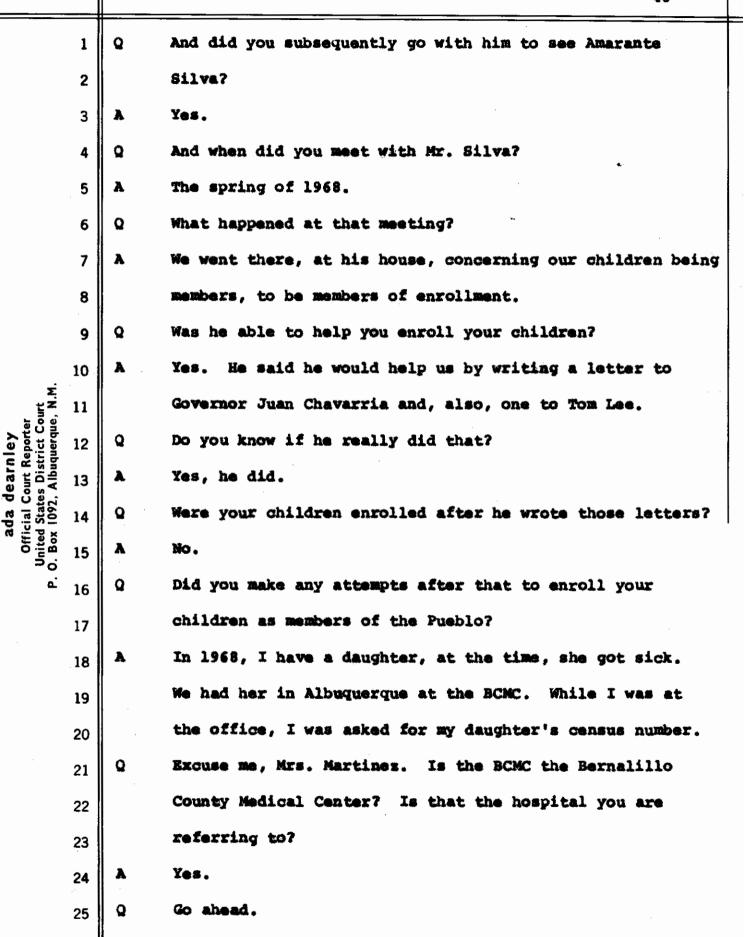


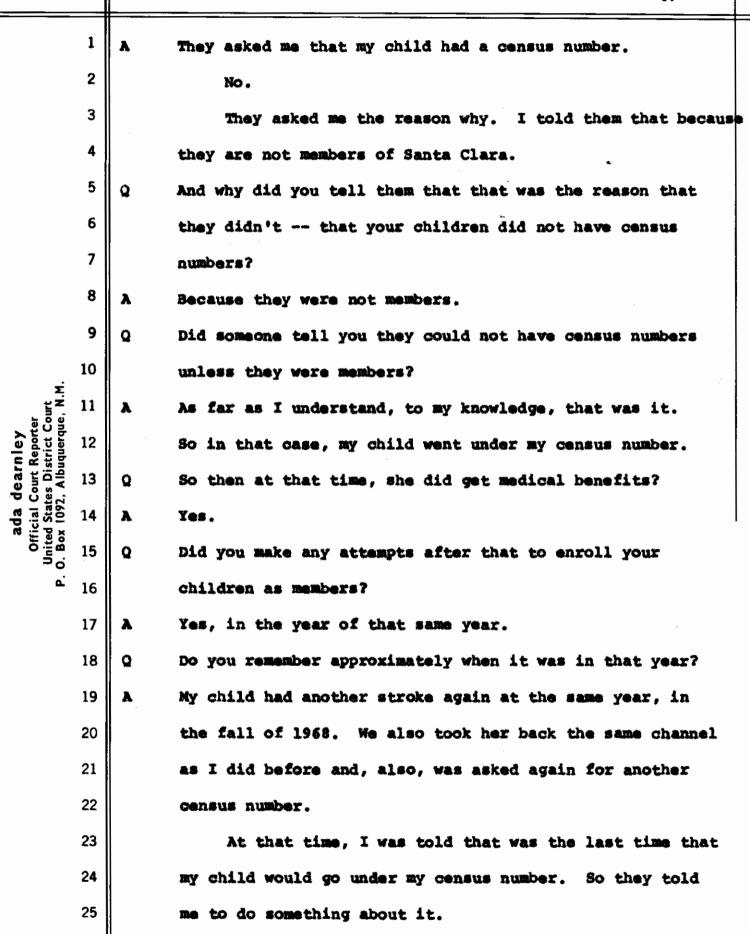
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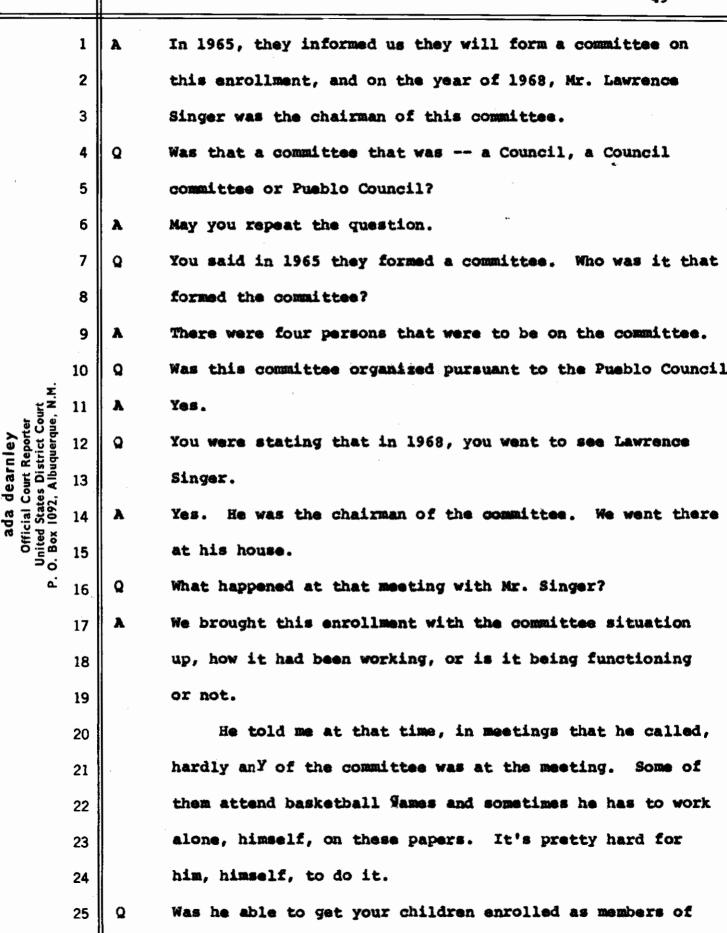


	1	Q	Who was that?
	2	A	Loretta Cruz Chavarria.
	3	Q	And what happened?
	4	λ ·	We went there to ask them what they had done about the
	5		enrollment. He said he didn't know anything about it,
	6		nothing had been brought up in the meeting.
	7	Ω	Did you ask him to take the matter to the Council?
	8	A	That's as far as I went there.
	9	Ω	Did you make any attempts after that meeting to enroll your
ada dearnley Official Court Reporter United States District Court J. Box 1092, Albuquerque, N.M.	10		children with the Pueblo?
	11	A	Yes, in 1968.
	12	Q	What did you do in 1968?
dearnley Court Reportes District	13	A	We met with Tom Lee, my husband and myself.
ada d Official C lited State Box 1092,	14	Q	Who was Tom Lee?
Offi United O. Box	15	A	Tom Lee is the Navajo, the State Senator.
ø.	16	Q	The State Senator in which state?
	17	A	Yes.
	18	Q	In which state?
	19	A	I think it is they were having a session here in Santa
	20		Fe at the time.
	21	Ω	Was he a State Senator in New Mexico?
	22	A	Yes, I think he is.
	23	Q	And what happened at the meeting with Senator Lee?
	24	A	He told my husband that we would go to Santa Clara and
	25		see Amarante Silva, Tribal Judge, at that time.





	1		At that time, my husband brought Mr. Acoya, Clarence
	2		Acoya.
	3	Q	Mrs. Martinez, did you ask at that time, did you ask the
	4		Governor or any representative to give you some statement
	5		that your children were from the Pueblo?
	6	A	Yes, I did.
	7	Q	Who did you ask?
5	8	A	We went to our representative at that time. His name is
	9		Alfredo Naranjo. We went to his house and told him that
	10		if he could help us to take this into the Council, to
ourt N.M.	11		verify my child, that he resides on the reservation and
dearnley Court Reporter tes District Court 2, Albuquerque, N.M	12		born there and known that's his home and to verify her
	13		as the tribe of Santa Clara.
da iial Stat	14	Q	And was that the child that was sick?
and Office United O. Box	15	A	Yes.
9.	16	Q	And did he give you that letter verifying those things?
	17	λ	No.
	18	۵	After that, did you ever again make any attempts to get
	19		your children enrolled with the Pueblo?
	20	A	Yes.
	21	Q	When was the next time?
	22	A	In 1968 of that same year.
	23	Ω	Do you remember when, in the year it was?
	24	λ	1968.
	25	Q	What happened?



	\neg		
	1		the Pueblo?
	2	λ	No.
	3	Q	After that meeting with Mr. Singer in 1968, did you ever
	4		again make any attempts to enroll your children?
	5	λ	Yes.
	6	Ω	When was the next time that you made an attempt?
	7	A	In the same year of 1968.
	8	Q	What did you do?
	9	A	Mr. Clarence Acoya had told us that there was two solicitor
•	10		that were coming in from Washington and he helped us to
rnley Reporter istrict Court ouquerque, N.M.	11		make an appointment with him, to meet with him in Albuquer-
earnley ourt Reporter District Cou	12		que.
e a i i	13	Q	Did you meet with those solicitors?
da Stal	14	A	Yes, we did.
Offic United O. Box	15	Q	And did you present the enrollment problem to them?
, 9.	16	A	Yes.
	17	Q	Were they able to help get your children enrolled?
	18	A	No. But, at that time, they helped us to give us, my
	19		children, census numbers.
	20	Ω	They did get their census numbers for them but were not
	21		able to enroll them?
	22	A	We were in the office, the Governor, Juan Chavarria, the
	23		two solicitors, my husband any myself and, also, we had
	24		brought a witness in. His name is Joe Sanchez from
	25		San Ildefonso, and, there, we brought the matter before

them, before the Governor, Juan Chavarria, stating that he 1 could verify Natalie and Ann Martinez at the time of this 2 sickness, to give us a statement verifying of being a 3 member, born in Santa Clara, a member of the Santa Clara 4 Pueblo, and by the census number, we'd be asked for census 5 numbers and we would like for help." 6 Did he give you help? 7 Q The solicitors told us that we can go down, that they will 8 A help us on that. 9 But before we even -- let me brought this up. Before 10 we even went in to meet with them, my husband was called 11 United States District Court 1092, Albuquerque, dearnley outside from the meeting and told him that he would go 12 down straight to the BIA to receive the census number of 13 aga our children. 14 Вох But you didn't go with him at that time? Q 15 And he didn't go because he told them that we were 16 to meet with the solicitors. 17 After meeting with the solicitors, you did get the census Q 18 numbers, but you did not get the children enrolled? 19 A No. 20 Did you at any time after that seek to get your children Q 21 enrolled as members? 22 In 1969 of that year, there was a Senator Ervin that was A 23 to appear in Albuquerque in the smring of 1969. 24 Q Was this the United States Senator, Senator Ervin, the 25

			34
	1		United States Senator?
	2	λ	Yes.
	3	Q	Okay.
	4	A	We went to that meeting, myself, my husband, attended
	5	:	that meeting and, in person, to Senator Ervin, we gave
	6		some letters about the enrollment.
	7	Q	Was he able to help you on the enrollment problem?
	8	A	Yes.
	9	Q	What did he do?
	10	A	He told us that he'll write a letter to us and let us know
ourt e, N.M	11		what's come of it.
ada dearnley Official Court Reporter United States District Court O. Box 1092, Albuquerque, N.M.	12	Q	Was he able to get your children enrolled as members?
dearnley Court Reportes District 2, Albuquerd	13	A	No.
ada d Official C iited State Box 1092,	14	Q	After that, did you ever again do anything to bring the
Offi Offi United J. Box	15		matter before the Council to try to enroll your children?
<u>a.</u>	16	A	At that time, yes.
	17	Ω	What did you do?
	18	A	At this one time in the summer of 1969, we received a
,	19		letter from Senator Ervin's committee, one of them, and
	20		in that letter, it stated that my husband wasn't doing
	21		the committee too was having a hard time, having them
	22		do the committee work in the Santa Clara Pueblo and
	23		MR. PRELO: I am going to move that this be stricken.
	24		It is not even responsive to the question.
	25		Again, I hate to interrupt but it is just going on

	1	and on, away from the line of questioning.
	2	THE COURT: What is the purpose, Mr. Taradash?
	3	MR. TARADASH: Your Honor, some of the hardships that
	4	have been suffered by the Martinez family are a direct
	5	result of the husband not being a member of the Pueblo.
	6	There was a situation which did arise, which threaten
	7	his continued residence at the Pueblo, and it has to do
	8	directly with the lack of membership in the Pueblo.
	9	MR. PRELO: The fact remains that he still resides
	10	there. All of his family resides there.
. 7. 7. 7.	11	THE COURT: Yes. I don't think that is in issue here
arnley rt Reporter District Court Ibuquerque, N	12	Mr. Taradash, under the circumstances.
	13	Q (By Mr. Taradash) If we can move on from that, Mrs.
da ial (Stat	14	Martines, did you do anything after your meetings with
Offic United O. Box	15	Senator Ervin in attempting to get your children enrolled
ď.	16	as members?
	17	A I have never, not under the enrollment. We have to find
	18	out about how.
	19	Q That's fine.
	20	MR. TARADASH: We have no further questions at this
	21	time.
	22	CROSS EXAMINATION
	23	BY MR. PRELO:
	24	Q Mrs. Martines, you were born in 1921, is that correct?
	25	A Yes.