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interrogatory, it's about four pages long.

Q (By Mr. Collins) Do you recall a question asked of you in writing that was -- it was not asked of you by us, but by the Federal Government, the Department of Housing and Urban Development, and you were asked to list the children of mixed marriages on the Pueblo, and you submitted a long list of people. Do you recall doing that?

A Yes, I remember that.

Q That would appear to indicate to me that there is a fairly high number of mixed marriages right now on the Pueblo. Would you agree with that?

A I'd say we have a few of them. How many, I really don't know.

Q Well, your list had 34 mixed marriages.

A If that's what is listed, then that's what we have, yes.

Q You said the Pueblo population is about 1200, is that correct?

A Approximately.

MR. COLLINS: No further questions.

THE COURT: Mr. Prelo?

REDIRECT EXAMINATION

BY MR. PRELO:

Q Governor, of those 34 mixed marriages that you were just asked about, do you know how many years that covered?

A I would have to guess on that. I would probably say since

1 1940.

2 Q Were you deposed in this case, Governor?

3 A Was I deposed?

4 Q Was your deposition taken?

5 A Yes.

6 Q Did you sit through a number of other depositions in this
7 case?

8 A Yes.

9 Q And was religion and the same type of objection that was
10 made a while ago made in each and every one of those
11 depositions?

12 A Yes.

13 Q Was it made by you?

14 A Made by me. It was made by me and made by others.

15 Q Was it made by one of the witnesses that we deposed on
16 behalf of the Pueblo, Mr. Alcario Tafoya?

17 A Yes.

18 Q So that this objection, per se, is not new, is that correct?

19 A No.

20 Q Now, whether or not I had enough legal experience or
21 knowledge to put that into the form of a pleading, do you
22 have any reason to know about that?

23 You were asked why it was just now raised in the
24 form of a -- or just recently raised in this case. Now,
25 you don't know, do you, whether or not your attorneys had

1 sufficient knowledge or expertise or knowledge of the
2 religious issues in the law, that was raised, that point,
3 is that correct?

4 A I don't think they know.

5 Q But you have mentioned this and it has been mentioned in
6 other depositions as well?

7 A It has been mentioned, the fact that we do not want to
8 discuss the religious life of the Santa Clara Tribe.

9 It was mentioned more than once, I believe by every
10 individual that was deposed.

11 Q Thank you. Prior to 1939, naturalization was allowed, is
12 that correct?

13 A Prior to 1939?

14 Q Yes.

15 A Yes, I believe so. This is the way the certain individuals
16 came into the tribe.

17 Q Then after 1939, it was prohibited?

18 A Yes.

19 Q And, to your knowledge, no one has been naturalized
20 subsequent to 1939?

21 A After the year 1939, no one, to my knowledge.

22 Q Do you know of any cases where a Santa Clara woman has
23 had several illegitimate children that were recognized?

24 A I believe so, yes.

25 Q There are some cases?

1 A There are some cases where there are more than one child
2 in the family.

3 Q You stated that a female member of the Santa Clara Pueblo
4 could hold office under the Constitution, is that correct?

5 A Yes, they can.

6 Q Does it have to be a member of the Pueblo?

7 A That individual has to be a member of the Santa Clara
8 Tribe before he can hold office.

9 Q And do you know who picks these candidates?

10 A Yes. The factional leadership. That's their responsibility.

11 Q Isn't that where it entails -- the factional leadership is
12 religious, in nature?

13 A It is.

14 Q Did anybody have voting rights prior to the Constitution?

15 A So far as I know, there was no voting before the adoption
16 of the Constitution.

17 It wasn't until the year 1935 and our people started
18 to vote for candidates of their choice.

19 Q And do you know what the land assignments were like prior
20 to the Constitution?

21 A The land assignments, prior to the Constitution, I believe
22 they still based it on that they come before the Council
23 or request such assignments, or it could have been handled
24 -- or handed down from generation to generation.

25 Q Do you know why the illegitimate children or children

1 born out of wedlock, if you wish, are granted the rights
2 and privileges of the Pueblo?

3 A Yes. I think the primary reason behind it is the fact
4 that they have no other place to go, that we do recognize
5 them to be half Santa Clara on the mother's side, not
6 truly knowing who the father will be.

7 But in this case, because they have no other land,
8 they have no other tribe to go to, they have no father
9 and, therefore, or they may have a father but not knowing
10 who the father is, but the fact is that we are responsible
11 for our people and, in this respect, we do open membership
12 to them.

13 Q You open your door to these children?

14 A Right.

15 Q Who would be responsible for teaching these children the
16 tradition and culture of the Santa Clara Pueblo?

17 A These particular children that are born out of wedlock,
18 it would become the responsibility of the uncles, the
19 grandfathers and cousins or whatever they may have in
20 the family.

21 Q It will be in the male members of the mother's family?

22 A This is very true.

23 Q Do most of your members -- strike that.

24 Do you have very many members that come in from
25 California, far away and, say, "We want to enroll our

1 children," or are most of your numbers decided on the
2 Pueblo proper?

3 A We have quite a few people living off the reservation,
4 some around Albuquerque and out of state and some as far
5 as Washington, Los Angeles, and those far away places.

6 Q And they bring, regularly, children in from time to time
7 for enrollment, or do they visit the Pueblo?

8 A They do come in for certain benefits and we question them
9 on whether or not they were the true offsprings of this
10 particular parent.

11 Q In your opinion, Governor, does the Ordinance of 1939
12 comply with the Constitution?

13 A I believe it does comply with the Constitution, yes. It
14 does comply with the Constitution.

15 Q And does it also comply with any requirements of the
16 Resolution of 1944 that has been mentioned?

17 A Yes.

18 Q Are members or non-members in Santa Clara Pueblo granted
19 the same religious privileges?

20 A The Indian is recognized as to get himself involved in
21 certain activities, and I would say, yes, there's no
22 restriction as far as the Tribal Council is concerned.
23 This is the responsibility of such religious heads. It
24 is their responsibility.

25 Q In other words, the Council itself has no restrictions?

1 A The Council itself cannot rule on this. It is truly the
2 responsibility and the authority of such heads. It is
3 their responsibility. It is their responsibility.

4 We are only ruled or are governed by these people,
5 and whatever rules they said, they would pass it on to
6 the Council and we'll enforce the rules and regulations.

7 Q Governor, as I understood your testimony a while ago, you
8 are restricted in what you can state by your religious
9 leader, is this correct?

10 A Yes.

11 Q And is this in your capacity as Governor of the Pueblo?

12 A Would you say that again?

13 Q Is that in your capacity as Governor, that you are
14 restricted?

15 A Yes, I am advised -- I have advisors. I don't do anything
16 by myself. I am advised by the Council and I am advised
17 by the traditional leadership of the tribe.

18 Q And without their concurrence, of both of these bodies,
19 you have no authority, is that a true statement?

20 A That's true.

21 MR. PRELO: May I have just a moment, Your Honor?

22 THE COURT: Yes.

23 MR. PRELO: I have no further questions.

24 MR. COLLINS: Your Honor, he raised one new matter
25 I'd like to ask about.

1 THE COURT: What is that, Mr. Collins?

2 MR. COLLINS: The question of the participation in
3 the religion by non-members. I'd like to ask two questions
4 about that.

5 MR. PRELO: If the Court please, that was raised
6 initially.

7 MR. COLLINS: I beg your pardon?

8 THE COURT: Yes, it was brought up.

9 MR. COLLINS: On his direct?

10 MR. PRELO: I think so.

11 THE COURT: I was discussed.

12 You may step down.

13 (Witness excused.)

14 THE COURT: Who is your next witness, Mr. Prelo?

15 MR. PRELO: Your Honor, I am trying to get my next
16 witness called here. I call Gene Naranjo.

17 (Witness sworn by Court Clerk.)

18 JOSE GENE NARANJO,

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

21 DIRECT EXAMINATION

22 BY MR. PRELO:

23 Q Would you state your name, please, sir?

24 A Jose Gene Naranjo.

25 Q Mr. Naranjo, if you can't hear me --