
Santa Clara Pueblo v. Martinez (1978) Trial
Transcripts

Law and Indigenous Peoples Program

11-25-1974

14: Juan Chavarria-Redirect.pdf (102.8Kb)

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

Follow this and additional works at: [https://digitalrepository.unm.edu/
law_certificate_indianlaw_santaclara](https://digitalrepository.unm.edu/law_certificate_indianlaw_santaclara)

University of New Mexico

UNM Digital Repository

Recommended Citation

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

This Transcript is brought to you for free and open access by the Law and Indigenous Peoples Program at UNM Digital Repository. It has been accepted for inclusion in Santa Clara Pueblo v. Martinez (1978) Trial Transcripts by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu, lsloane@salud.unm.edu, sahrk@unm.edu.

1 A Well, upon certain considerations, I think they can.

2 Q I'm sorry, Mr. Chavarria, I'm not certain whether we went
3 over this yesterday, the break, I can't tell some things
4 because of the break of time. You said you have several
5 daughters; is that right?

6 A Two daughters.

7 Q Where do they live at present?

8 A They live in the Santa Clara Pueblo.

9 Q Are they married?

10 A Yes, they are.

11 Q Are either of their husbands members of the Pueblo?

12 A No. I would like to say at this point that one is over
13 in Japan with her husband, who is in the Air Force.

14 Q I see. Are there quite a number of mixed marriage people
15 living in Santa Clara today?

16 A Yes, there is.

17 Q Are many of those ones where the Santa Clara member is
18 the wife?

19 A Yes.

20 MR. COLLINS: Your witness.

21 THE COURT: Mr. Prelo.

22 REDIRECT EXAMINATION

23 BY MR. PRELO:

24 Q Referring to the last question that was asked of you,
25 are many of them where the wife is the Santa Clara member,

1 do you have any idea how many?

2 A I don't know.

3 Q Do you know if it's more or less than where the male member
4 is Santa Clara?

5 A It would be less.

6 Q There are less where the female is Santa Clara?

7 A Yes.

8 Q You stated on cross-examination that a Tewa name, as well
9 as a non-Indian name, is given to all children; is that
10 correct?

11 A That's right.

12 Q It's not necessarily a Spanish name, is it?

13 A No.

14 Q It can be an English or other non-Indian name?

15 A Well, on that Indian way, they are given the Indian name,
16 and then through baptismal they are given either a Spanish
17 or an English name.

18 Q Now, is that Tewa name, is that the mother's name?

19 A No, it is given by some lady to the child that has been
20 given a name at that certain time.

21 Q So that the Tewa name is neither mother's nor the father's
22 name; is that correct?

23 A Well, at times I think it could be, if the child is a girl,
24 or if the child is a boy, they could give the mother or
25 father's name.

1 Q But is there a set rule which pertains to that?

2 A There is no set rule, no.

3 Q Mr. Chavarria, as far as you know, the Ordinance of 1939,
4 did that have anything to do with the illegitimate
5 children?

6 A Repeat the question, please.

7 Q The Ordinance of 1939, as you understand that ordinance,
8 does that have anything to do with illegitimate children,
9 children born out of wedlock?

10 A No, I don't think it has.

11 Q The rule pertaining to children born out of wedlock, do
12 you know if that's a new or an old rule?

13 A That's an old rule that has been handed down through
14 generations.

15 Q Prior to the Constitution?

16 A That's right.

17 Q All of the names that were mentioned to you about people
18 naturalized, were these well before 1939?

19 A That's right.

20 Q And do you know whether these people that were naturalized
21 were required to undergo any special training?

22 A Well, they were on probation for about a year, that they
23 do not receive any benefits from their Tribe, and then they
24 go through different things like Pueblo cleaning, ditch
25 cleaning, and other things that occur within the Pueblo.

1 Q Were they required to learn anything else?

2 A Well, it was at their own discretion, if they wanted to
3 learn other things they could, ask the person that might
4 know what they wanted to learn.

5 MR. PRELO: Could I have just a moment, Your Honor?

6 THE COURT: Yes, sir.

7 MR. PRELO: I have no further questions.

8 THE COURT: You may step down.

9 MR. PRELO: Call Florence Ellis.

10 FLORENCE HAWLEY ELLIS,

11 having been first duly sworn according to law, upon her oath
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MR. PRELO:

15 Q Would you state your name for the record, please?

16 A Florence Hawley Ellis.

17 Q What is your address, Mrs. Ellis?

18 A 1666 Cerro Gordo, Santa Fe.

19 Q How long have you resided there?

20 A Since the last 10 years, but I lived before that in
21 Santa Fe also, another address.

22 Q How long have you resided in New Mexico?

23 A Since 1934.

24 Q In what general area has that residence been?

25 A Santa Fe and Albuquerque.