

Tape #231
SANTA ANA
Porferio Montoya-former governor
February 27, 1969
DENNIS STANFORD-Interviewer
Side two
Tape 2

Housing Projects
Civil Rights Bill

- Q. Well, can, does the whole village have to approve of having the houses?
- A. I don't think so.
- Q. Just anybody can get one if they want...?
- A. Those people that want it get it, of course the pueblo already approve, anybody that wants a house can have it, they...
- Q. I see...so what are the meetings about, to inform the people what kind of houses they are?
- A. Well see there is going to be timber houses and block houses, and there is another (?) something like a stone house. I forgot what they call it... it is something like those chicken houses that they recently built...or like the house that, the office house of that Coronado trailer village...it looks like an adobe...it could be that one too if you want to...
- Q. Is there a difference in price, or are they all about the same?
- A. I think they try to charge the same price...
- Q. How big are they, do they vary for families?
- A. By family, yeah...
- Q. Do they have to be...
- A. I don't guess...the way I heard was, they would be anybody having a family of four, you can have three bedroom house...three and two bedroom houses... depending on the size of the family...
- Q. Can they get any bigger than three bedroom?
- A. I don't know...I think they would have to be something, like, maybe somebody would like to say some-

thing about it, how much...I missed the last time so I don't know too much about it...and we decided, and that is just the floor plan you see, they are all the same I think, yeah...

Q. Now, what is the actual money in it?

A. I don't know about that...but up there, the ones that were less, the ones that were build part, are not complete yet, I think they are suppose to be around \$10,000...

Q. Now, is the government going to pay any part of this?

A. No, the owner...

Q. The owner pays for the whole house...

A. See, it is help housing...you see...if you work on it...on some things where the construction is going up on the house, you get hours for it see, and then that will kind of bring down the cost...but actually, that, after all the outside and inside petition is finished, and then he has to have refrigerator put in, cook stove put in, and heating system put through the village right here, and then he turns over to the people, it has to all be finished first before they can be turned over to the person who is buying it, and they will be told that if you don't, I don't know...about...well...then it will be up to you, to make up the inside, to make up your own, and petition, you have to give it your final finish.

Q. Well, that sounds like a pretty good deal actually...

A. They are pretty nice looking houses...

Q. Do you think you'll get one?

A. That Mr. Jackson, he is sort of after me...I told him what are you going to do, tear my house down... my wife she said to me, why don't you tell him yes... we can give it to our boy, or give him that one, maybe we might be able to pay it up, that one, about twenty years to pay it up...\$20 a month...

Q. Hey, that is a good deal...

A. No, I think it was 10...a month...

Q. Do you suppose that I could come out and get one?

A. Well, I told a guy last night that came to tell me about the meeting...I said, I don't know what to do...I have got a big room, I have a foundation already on back of the house...I have my own back there, I don't know what I going to do. I think it is going to be a good deal for you guys...after all, what they had in them, if you want a black house... you don't even have a round pumice thing, they not leaving them open like other houses are, you know those rock houses, got a hollow inside...but this time, you have to insulate that, you have to ground the pumice into them...and that is the way, the you take the pumice instead of the rock and with that, improvisation, they don't have much of a chance of burning the whole house down to ashes...I said if you happen to some day burn a house you still got your walls, all you do is wash the smoke off and put your roof back on, partition off where they were. They are furnishing you with a cook stove, and a refrigerator and a heating system...and everything, bathtub, bowl, wash basin, by gosh, look how much you are going to get...

Q. Oh yeah.

A. For \$10 even if it goes up to \$15 a month you got a good job I think. If you want, if you think you got the extra money the best thing to do is to get out of debt quick, put that money and pay \$30 maybe or \$40 or maybe even \$50 if you can. The sooner you get out of debt then you got your house right there and it's got a storage room on the back porch. I got a look at those houses are pretty.

Q. Boy, that sounds like a real good deal to me, for that price and all you're getting. I mean just the appliances themselves are worth that \$10 a month. If they are good, I'm sure they would be.

A. For my part it seems like a damn good bargain that they are offering.

Q. Boy, yeah.

A. But, I said if you're in a hurry that's going to be up to you. I told my grandson same thing. He wants to build a house and get away from his in-laws. That's what they want to do, settle down on their own

house. Either way I told him but you have to furnish everything when you get your house. I don't know whether he will be able to put in a heating system right at that time or you just can't get it. But this way you going to get it, but you got to wait a long time before you move in I said and they're not going to start right away. Maybe they might take five months yet, I don't know why they have to delay it. If all these people that they counted for ready to go by golly they ought to be able to come right in and see the way their house is going to be, bring the (?) in and start to level it off. Sure, not wait till they get it all finished, they can inspect every house that's finished one in back of the other.

- Q. There's no reason why not.
- A. But they're going to do it, they're going to hold off for a spell so I think my grand family is just undecided yet. Of course, that's a good chance the way they put in those furnishings. All you have to do is to put in your bed, chairs and other things, that's all. The major appliances are already put in, you don't have to worry about them.
- Q. If you can't afford the other things, you can sleep on the floor and sit on milk crates for awhile until you can afford it after that.
- A. I told them, as long as you still working over there you getting good money cause you getting \$2 an hour and that's good money. We didn't get that much at the Archery I says, we never got that. Save all that money. Your wife is getting probably good money too as a nurse in St. Joseph's. You both are working where there is good money to pay you. If you decide on that start to put it away. When I get the time I says I'm going put a drag on the back of the truck cause I'm going to drag that ground for you of course they give each person the right where they want the houses but you got to wait you got to wait. And if they go at with vigor just well those guys need those houses steady, steady, ones that we can get them. Maybe in one year they can finish.
- Q. Well, I think that it is well worth waiting for myself. I think that it would be foolish to start building on their own, if he is building on their own it is going to take him that long anyway. We

just get start sooner, but you wouldn't finish any sooner...I don't think.

- A. Yeah it is hard to get, and hard to pay the person if you find them...See the heating system is directly from the floor to the...
- Q. From the wall?
- A. Yah, right at the very edge of the ceiling...that is where...
- Q. The little (?) yeah, those are good...we had that in Wyoming, and they heat well up there, and it gets cold. Well what Government outfit is sponsoring this, is this the BIA? I think that is a pretty good deal...I can't help but think though that the government must be paying part of it, because I don't see how you can build a house for \$10,000 with all that stuff in it...
- A. Yeah, that is me too...but Tesuque, they started out in the \$20,000 and it took them five years to finish them...ten years...
- Q. Holy smokes...
- A. I don't know.
- Q. Oh, that just smells like fish to me...
- A. Oh gosh...
- Q. Five years?
- A. Yeah, five years...just last year they moved in...
- Q. Good grief...what construction company was working, or was it just the men in the village?
- A. I don't know...they are suppose to have a supervisor there, if they were to work through the self help...
- Q. Yeah.
- A. They were suppose to think about that, do their work right, but these others now, they have got the contractors...both...they only help, that's their (?)

they are doing other kinds of work...wherever help is needed you know...

Q. I think between that and food stamps, a guy ought to live pretty good on \$200 a month...well here is one thing I thought of though...at \$10 a month, you can't in 20 years...borrow that much money. You were saying that you thought that it would be a good idea to save your money and pay it off...in a hurry, I don't think that is true...because they can't raise, and there won't be any interest on it...and so rather than saving your money and paying off the house...I think it would be better to count that as \$10 a month rent, until you own the house and say if you can put \$50 a month in the bank...to be used for something else like a new pickup or food or clothing or just a savings account, because you can't borrow \$10,000 as cheaply as you are paying it back at \$10 a month...you can't go to a bank and do that...so what you could do rather than say hurry up and pay it off, you could take that \$50 a month and put it in the bank, and make money on the interest, over the 20 years' time...does that make sense...

A. Yeah, suppose it does...

Q. Because I have a loan now that I borrowed five years ago and at that time it was at 3% interest, for students and now it is 6% interest...and I have to start paying it back this year, and I could save all my money and pay it back, but I think I will just pay it out, month by month...cause if it is only 3% interest...and I could take all the money that I have saved and pay it back and put it in the bank and make 3% interest on that money...

Irrelevant conversation

Q. Did you read that paper I gave you on civil rights?

A. Yeah, I didn't finish it though...yeah.

Q. You better before tonight...

A. Yeah, I better...last night...I was with feeling around in a box of odds and ends, things like that, and here I found these and I asked Dora how come this one is in there...of course I always tell her whenever I put important things in a certain place, it has got to be there...I don't know how I put these

in that box there...there was another one (?)

oh, I don't know when that individual aide comes back, I found it there too, when it came I don't know... must be last year or this year or...when...

Q. You better yeah...

A.8 I know by mistake I sent the in laws (?) along with my boys income tax...and they sent it back...and he is talking pretty good now about the people... for a while then he was there, oh boy...that (?) he never said nothing, and he has never wrote any letters, just the ones that I sent it to him... and it seems like he wasn't, I don't know what he was (?) until he came home...

Q. This is in Oklahoma right?

A. Yeah.

Q. Where is he at now?

A. Yeah, he is at Chilloco...that is where he went to that school...

Q. He is going to study to be a lawyer?

A. I don't know yet...that is what he is trying to... he seems to have the idea though but there is a lot of jobs for him...he said well, dad, what you said the harder you try at something, you will get your reward...and I am glad I am doing this, I have at least some schooling that I have, in credit, and I am beginning to do things here now...they elected me as the 10th grade president...I mean, chairman..

Q. That's nice...

A. And I took a trip to where was it...(?) and represent my class a motor club and four other students...(?) 4-H Club and sheep and pigs...(?) They take them around in classes, to various factories where they make you know those play things, horses...and things out of iron you know...and I think they practice (?) places where they can take them to, here there is nothing...the only place that they take them to is the bakeries...

Q. Ha...ha...ha

A. There are no factories around...

- Q. Well I am glad to hear that...and does he want to go to college in two years? Has he talked about that at all...or...
- A. Well he has always had that in mind, I still think he carries that...I told him, if he is going to do it just to keep up with the schooling that is all.. now there are all kinds of scholarship floating around that you can get ahold of...and he said that he got one (?) So hang onto it I said. He got \$1800 in the bank to go to college if you want to go...
- Q. Sure he would be silly not to...
- A. Yeah...
- Q. From his own point of view, let alone his people... the only thing we have to get down on tape is some of these civil rights problems...you folks have been having this problem...this spring...
- A. I don't think we have any, too much trouble yet... nobody has tried anything here...I don't know about the other pueblos, if they (?) It is just the idea that comes from the government and other people that have been governors before..they just think just because civil rights protects a person just for so much rights, that is what they try to do with us... well I look at it this way, that most of them, how can they (?) get drunk, we don't pick anybody up just because we want to...just because somebody is here see...we know that they are actually the facts that we pick them up...(?) within their own families or against another person...we cut them down on the right way...I don't know how they would figure they would get away with it, that is why they just can't settle anything, it takes them too doggone long... nowadays some of the people, they get to learn that how to get away with it...they gain that...
- Q. That is the problem...
- A. So like (?) while they are not actually, they learn to play the part, see...and naturally here...that is just like the (?)
- Q. Yeah, it sure makes it easy enough...
- A. You hear a lot of it in court now...where a person, the defense lawyer of this person, he claims that he is out of his mind...he is not clear in his mind or

something like that you know...and then they have to call in a doctor...and all that time he is acting.

- A. Yeah, that is why some of them get away...
- Q. Yeah, like that Sirhan Sirhan...Oh, I really think that he is crazy, he was...
- A. That is why I say, why, why, when they see a person actually, almost see him do it...like this fellow he was the last person that this thing happen, he was right there...and they found him...how can he get away?
- Q. He shouldn't be able to...
- A. That is the reason I guess...the reason is... that of course that kind of a law, that protection...
- Q. But then again, what about the people where their circumstances were slightly different...and they were being framed, they should have something to protect them.
- A. Yeah, on that kind of situation, well, it's different, if we were told, way back of the barn somebody had just more or less seen something happen over there...but...when we came there, it was just the opposite...and the person that signed a complaint against him and that would, we might be get the wrong person, see...we picked him up, with complete (?) we had to, now they bring him in to court to get the true facts out of this person or find the person who actually seen, he has got to prove it right there...against...there are many ways and there are some things that the criminal is protected by...you see...and to be I would say... of course when you talk about Indians, you aren't going to have anything beyond drunkenness...
- Q. No...well...

- Q. Well what is this meeting that you are going to have tonight?
- A. They call it civil rights because they are not actually discussing what it mean or how a person would like to get away from it...but they are working on another code you see...

- Q. Yeah, that is right...
- A. But I don't know if anybody knows just what it means and that (?)
- Q. Well in the beginning of the year, this guy that got back from Alaska...he had apparently been giving us some trouble...
- A. He wanted to...
- Q. On the civil rights...
- A. Well the major trouble that he was oh...let alone with us...for a true way of trial...and at the hat, he almost (?) trying people well that was what we were after, nothing else...and so that, the brother of the accused...was drunk and he said, mostly he said, that I don't agree with you he said so we got into an argument; what is it that is who I agreed with I said, is it something that we picked him up for? Or is it something that we, that he was just fined for what he did, he was doing something for (?) he said that I am going to be get myself a lawyer... and I am going to get and I said, I told him, look here, you are not going to take a lawyer to a JP court, do you? JP, just this kind of a court, you (?) the only place where an attorney is appointed or hired is if it is something big...or maybe rape, or stealing or stealing from a bank or a person that has a value of over 50 and on up...dollars...but this guy where did you ever, professional attorney come into a JP and defend a drunkard I have never seen it, I have been in some of the JP courts... I said, and I never seen anything like that, just to find out and see what they do...if you want, if your daughter was picked up by an outsider...police and turned over to the JP court...you have got no argument there, for sure I know...nobody has ever argued with a JP...I know...when you plead guilty that is all, the paper is shoved over to the next person, he is the one that sentenced you...just the fine... how much you should be fined...you too...and no, he said, I will be seeing you with my attorney... he said, and this day, he has never gotten one...
- Q. Well that is not too bad, something that was bothering me is, privileged and (?) civil rights bill, for one man one vote thing...which isn't necessary

converse to the way the Indians do things in the pueblo...because there are certain people who can't vote...on pueblo matters like the women say, and now according to the civil rights act they have the right to vote in the pueblo council and young boys...is this right?

- A. According to the Erwin Bill yes...that (?) of course, it is old enough, he would have to nobody ever complains about it yet the youngsters haven't said anything about it...
- Q. Well I assume some day some young enterprising woman is going to say something which she has according to the Bill of Rights...and how are you folks going to handle that...I am curious about...
- A. I don't know, I wouldn't, I haven't given that thought yet...too serious yet till the time comes, that there will be a little more likeness to what we can do and what we can't do you see...and until that time of course, it will be a best case...
- Q. It sure will be.
- A. But just for my own thinking of that...the way that some of the younger ones are still thinking of the old ways, but as a little more things (?)outside, and not only outside but the other pueblos too... San Felipe, Zia and our neighbors right here...and so, I guess that would be just about that time, unless if I get to thinking more seriously of what did happen...
- Q. Why I am sure that the governor...I don't see any way around it...you know yourself that there is going to be somebody in some pueblo, sooner or later, that is going to take it to task and as a citizen, I have this right and the council has no right to tell me I don't...have that right...and I don't know I was thinking that maybe your meeting would be about that...kind of thing.
- A. I don't know, they haven't clearly talked about exactly the meaning of the civil rights, but what they are trying to do is set up the law and order first and they talk about.
- Q. Now this is setting up your constitution...is this what you mean?

A. Laws...bylaws...

Q. Bylaws...

A. First, of course, we are told not to bother about the constitution, but to first consider the bylaws, as the first means of defense, they told them that... and then, the lawyers and the Secretary of the Interior, assign (?) and then they can put it down, put your constitution down...and then I talk to at least two of the boys, who work on these bylaws...try to break in the old ones, when we start talking about the constitution and then, if then, to give us luck, and get some more ideas, of the birth of the pueblo government, the way back, that they wrote...and then, we can more or less...I can picture that...work, and piece it together...and we want that insurance in the constitution...to show, what the self government was way from the beginning of the pueblo era...this way, and it still, do you think that is a good idea?

Q. Yeah...it is the best idea I have heard...

A. And then if we don't do it here, I can get a copy and bring it to you...(?)

Q. Yeah...well we...last May we talked once about the White House and about some of the laws and bylaws, but I am sure we haven't talked about all of them.

A. Yeah, I know it, I didn't mention it but I think that maybe I missed something that is why I wanted to get the old (?) and see how much I missed if there is anything new...that I didn't, we didn't put it down like I took the notes and then bring it here.

Q. Then these aren't all of them?

A. What?

Q. These aren't all of them, you have still got maybe two more times that many that aren't finished yet... We did a lot of talking last year...well there are certain parts of the Erwin bill that the pueblos are excluded from...you know that?

A. No.

Q. Okay on that piece of paper I gave you, it tells about it...I have a copy of it somewhere, it might

be right here...yeah...

- A. Yeah, I will have to go through...is it by somebody making amendment to it or what?
- Q. Yeah, it is an amendment...H.R....yeah, right here we go...hm-m-m...Okay the Civil Rights Act of 1968... enacted into law April 11, 1968, contained a rider which changes the long accepted rule that the bill of rights to the United States Constitution does not apply to the actions of the government, of the Indian tribes, this rider is commonly called the Ervine bill...because of the matters contained therein are originally introduced by Senator Ervine of North Carolina...he is a Senator...ah...the Ervine bill covers a number of areas of Indian law, Title Four makes it more difficult for states to assume jurisdiction over civil and criminal cases in Indian country, since no such jurisdiction can now be asserted without the consent of the appropriate Indian tribes...The Secretary of the Interior is required by Title Three to recommend to Congress a model code, this is the one that you objected to...
- A. Yeah...
- Q. Ah...of justice to government and administration law by courts of Indian offenses...assault, resulting in serious bodily injury...when committed in Indian country...is to be made exclusively a Federal crime and you knew all that, right?
- A. I knew about the 14 major crimes...
- Q. Right...but the most important and probably the most controversial part of the bill is Title 2 which enacts an Indian bill of rights...protecting the individual Indians and others from certain actions by the tribal government...whatever that means... I'll tell you what, I have to step over to the store and get some things, do you want to look this over while I am gone...or...

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- A. Yeah, sure why not...you know some places, they have no cushions on the chairs...over here...they
- Q. Get that out of there.
- A. I watched that, but I can't get that.

Q. Did you have spaghetti before?

A. No.

Q. You haven't?

A. No...ha...ha...ha...

Q. Here is some cheese...

A. What is this, cheese?

Q. Yeah...

-----EATING-----

A. What is this test case...well, how does it prove this one...or is this test case the same kind of a case that they got, you know, that they keep on talking about...and..

Q. Well, one case sort of sets precedence and this is why Taos people are having some trouble getting that land of theirs, because if they get the land, that will be the first case where they have actually given the land back to the Indians rather than paying...and that will set a precedent, that will be a test case...and then say the Santa Claras get their land back, their religious shrine, they will have a test case...and in the Taos land...the Santa Clara will probably win...but what is even more absurd, if Taos gets all that land back, the Department of the Interior is worried that the Hope will sue for all of Grand Canyon...which I mean is the same thing.

A. And then more or less, maybe in order to make the... (?) there are people that (?) you have to have more (?) and that is really (?) I am not too good at (?) I have to think about it.

Q. No, I thought it would be more important that they were going to have that meeting tonight, your own feelings...

A. I like it with (?)

Q. Well I am not such a bad cook afterall...pretty good...

A. Did you tell me that your wife was a good cook this morning...what's the matter?

Q. Oh, she didn't get up in time...she stayed up late,
and so she didn't get up...

A. No.

Q.

A.

END OF TAPE