

## INTERVIEW OF ARLENE CLAY

CONDUCTED BY KAREN BREWSTER  
BARBARA HOOD AND JOHN MURPHY

JANUARY 25, 2012

## TAPE 2 - ORAL HISTORY

KAREN BREWSTER: You lived in Aniak when you left Aniak?

JOHN MURPHY: When she left. She had been living there longer than anybody else.

KAREN BREWSTER: And you were the oldest?

JOHN MURPHY: And she was the oldest.

ARLENE CLAY: I was living in Aniak for 67 years.

BARBARA HOOD: Wow!

KAREN BREWSTER: You must have seen a lot of changes?

ARLENE CLAY: Definitely. Most of them not too good.

KAREN BREWSTER: Uh-huh.

JOHN MURPHY: Is that on?

KAREN BREWSTER: Yep, we are on. We are rolling the tape, so. That was one of questions was how things changed in those 18 years you were a magistrate?

ARLENE CLAY: Well, you know, it changed so slowly that you really didn't notice them too much, but once they started to bring in housing, you know, there is always somebody stateside that knew what the Native people wanted and so they decided building housing and I know some of the Native folks and myself tried to get them instead of building board houses for them, which they didn't know how to take care of, just build them another little cabin where they are at. No, they couldn't do that. They had to do -- I think there is now at least three big housing projects in Aniak.

KAREN BREWSTER: Wow!

ARLENE CLAY: And the Native peoples was told that they had to live in them. Well the housing projects are about three miles away from the village. They had no way of -- since everybody lived along the village -- along the river they had no way of going fishing and they had no dogs so they didn't have to fish for the dogs all the time, but there is no way that they could -- they could get to the river to fish or anything. There was no -- they didn't have any transportation for them. And I can tell you a real goodie if you want to hear about somebody coming up and --

KAREN BREWSTER: Sure.

ARLENE CLAY: And tell them what these people needed over at Anaktuvuk Pass?

KAREN BREWSTER: Uh-huh.

ARLENE CLAY: Of course they are all on subsistence up there, you know, and somebody I don't know who -- where he is from New York or Philadelphia came up there and saw how they were living. And oh my goodness these people don't have any flush toilets. So he went back and he sent up a whole bunch of flush toilets. So when the Native people got at Anaktuvuk they didn't know what they were and what they could use for and of course they had no use for them so they tied their dogs to them.

KAREN BREWSTER: It is a good use for them.

ARLENE CLAY: Right. They used them anyway.

KAREN BREWSTER: Did you see any changes within the justice system in Alaska while you were magistrate?

ARLENE CLAY: Well the only thing is that they -- the whole process of -- all they do now is hold court like any court in Anchorage. They don't have all the recording and missing persons and all that stuff. They don't take care of that. They are just running as a regular court would be run in Anchorage.

KAREN BREWSTER: Do you think that is a change for the better or for the worst?

ARLENE CLAY: Well I think it depends how you look at it. If you look at it from the Native culture side, it wasn't too good.

JOHN MURPHY: One of the changes that happened while you were there were -- was when a misdemeanor -- a defendant was entitled to a jury trial. I think that changed while you were out there because for a while they didn't -- they weren't entitled to a jury trial on a misdemeanor and then the law changed and they could have a jury.

ARLENE CLAY: That was -- yeah. A good point.

KAREN BREWSTER: And did that change -- the change John just talked about -- about being able to have a jury trial, did that change the way you did your job?

ARLENE CLAY: No. It was just the same. except we could hold a jury trial except if they asked for them on misdemeanors.

KAREN BREWSTER: Uh-huh.

ARLENE CLAY: We couldn't handle any -- anything but misdemeanors.

KAREN BREWSTER: Uh-huh.

ARLENE CLAY: And what we could do is we could hold a hearing and if there was evidence enough that he could be held for a higher court, the troopers would take him to Bethel.

KAREN BREWSTER: Uh-huh.

ARLENE CLAY: And they usually ended up in Anchorage anyway, but no.

KAREN BREWSTER: You traveled to all those villages in your area.

ARLENE CLAY: Uh-huh.

KAREN BREWSTER: Do magistrates still do that?

ARLENE CLAY: None of the other mag - did as far as I know. They just had their own village.

KAREN BREWSTER: So when you traveled, you went by airplane to those villages --

ARLENE CLAY: Well the troopers always come and picked me up in small planes.

KAREN BREWSTER: Right. You didn't take your own boat and go up to Stony River and check something?

ARLENE CLAY: No. Uh-uh. No.

KAREN BREWSTER: I don't think that the villages get that magistrates coming around any more like that.

ARLENE CLAY: Oh, no, they don't.

KAREN BREWSTER: Yeah.

ARLENE CLAY: No, they don't, no. No, magistrates don't travel any more.

KAREN BREWSTER: They bring the people to --

ARLENE CLAY: Right.

KAREN BREWSTER: Aniak. I wonder how that is different for the carrying out of justice?

ARLENE CLAY: I can't answer that.

KAREN BREWSTER: You haven't thought about that.

JOHN MURPHY: I think the people like to see you in the village. When you had court in the village, I think the village -- a lot of the people liked that.

ARLENE CLAY: Yes, they did.

JOHN MURPHY: It was local.

ARLENE CLAY: Right.

KAREN BREWSTER: Everybody knew you?

ARLENE CLAY: Uh-huh. Yeah.

KAREN BREWSTER: Was there something that you found particularly hard about being a magistrate for so long?

ARLENE CLAY: There were some functions that weren't as pleasant as others. One being if a person drowned and the body was in the water for several months and they finally found the body. One time we had to -- troopers came up and of course they always had to have me go down when somebody was found and one time we had to take a tarp underneath the body it was so -- it had been in the water for so long, but things like that wasn't pleasant, but they were there and you had to do them.

KAREN BREWSTER: Uh-huh. Because you lived in the community and knew everybody were you able to separate being personally affected by the cases that came before you or did they affect you personally?

ARLENE CLAY: No. No. I didn't have any trouble with that.

KAREN BREWSTER: Is that what you needed to do to be able to --

ARLENE CLAY: Uh-huh. Right.

KAREN BREWSTER: Yeah. I think it would have been a stressful job?

ARLENE CLAY: Probably at times.

KAREN BREWSTER: Yeah. Were there times you wanted to quit?

ARLENE CLAY: No.

KAREN BREWSTER: Never? Why did you like it so much?

ARLENE CLAY: Well because of -- I knew the people -- knew their culture and somebody else coming in might not. I know we had one trooper that came in later years that he didn't understand that we had to understand the Native culture and he was for holding court and that was it, but so.

KAREN BREWSTER: Why did you choose to stay living in Aniak for so long? A lot of white people after a few years they pick up and leave?

ARLENE CLAY: Well we liked Aniak and it was the one place in the world that I found that I liked to live so I decided to stay.

KAREN BREWSTER: Sounds like the people of Aniak liked you too?

ARLENE CLAY: Yeah, I guess they did.

KAREN BREWSTER: They must have.

ARLENE CLAY: As a matter of fact the Native people used to tell me I never think of you as a white person.

KAREN BREWSTER: That is a wonderful compliment.

ARLENE CLAY: Yeah, it was. Uh-huh.

KAREN BREWSTER: So do you miss the work of being a magistrate?

ARLENE CLAY: Yeah. Uh-huh.

KAREN BREWSTER: What do you miss about it?

ARLENE CLAY: All of it.

KAREN BREWSTER: So yet --

ARLENE CLAY: Yeah, I miss going to the other villages, you know.  
KAREN BREWSTER: That fits with Barb's question why did you retire?  
ARLENE CLAY: I thought it was time. I was 75, no, 65 so I just retired -- decided to.  
KAREN BREWSTER: I can imagine that you at 65 were still in your prime.  
JOHN MURPHY: She wouldn't have moved here if she had not had some medical issues.  
KAREN BREWSTER: Yeah, I say you were still living by yourself in your cabin, weren't you?  
ARLENE CLAY: Oh, yes.  
KAREN BREWSTER: Yeah.  
JOHN MURPHY: Until she was about ninety-six.  
KAREN BREWSTER: That is amazing.  
JOHN MURPHY: Ninety-seven.  
KAREN BREWSTER: It is inspiring for all of us younger people.  
ARLENE CLAY: I sure liked the Elders. The Elder people -- they were really wonderful folks.  
KAREN BREWSTER: Uh-huh. And you were there at the right time to meet a lot of those wonderful people. Yeah.  
ARLENE CLAY: Yep, all changed now.  
KAREN BREWSTER: Uh-huh. Well, do you have any questions for her?  
BARBARA HOOD: I just want to --  
KAREN BREWSTER: Ask me to ask her I don't know if she can hear you?  
BARBARA HOOD: Right. I'm so sorry. I was just wondering if there were people in the court system she particularly remembers or that she worked with?  
KAREN BREWSTER: I asked Barbara -- Barb has question, but you hear me better than you hear her. So she was asking whether there were any people in the court system that you remember particularly? You mentioned Nora and Sadie, but were there other people?  
ARLENE CLAY: Well some of the judges in the -- from Anchorage would come out. We had an accountant that came out once a year people from -- and, of course, when we were in Anchorage for a seminar we met quite a few of the court people.  
KAREN BREWSTER: Was there any of those judges in particular you remember that --  
ARLENE CLAY: Nesbett.  
KAREN BREWSTER: What was he like?  
ARLENE CLAY: Oh, he was an excellent judge and he came out and visited my court and most of them do --  
KAREN BREWSTER: Uh-huh.  
ARLENE CLAY: Don't do that.  
KAREN BREWSTER: Did you take any of those judges to the villages and --  
ARLENE CLAY: Oh, no.  
KAREN BREWSTER: No.  
ARLENE CLAY: Uh-uh.  
KAREN BREWSTER: Teach them about life in Alaska?  
ARLENE CLAY: No.  
KAREN BREWSTER: Okay.  
ARLENE CLAY: Oh, I don't know if I (inaudible) what you wanted.  
KAREN BREWSTER: Well that is wonderful. I really appreciate it and I thank you for preparing so well in advance to have written it out like that. Were there any other ones you had in mind?

JOHN MURPHY: I can tell you a personal story about -- I don't know if you want it on camera.  
but --

KAREN BREWSTER: We are --

JOHN MURPHY: Just a case that she and I had in the village when one of the villages when we were -- when they were entitled to a jury trial and back then the troopers would act as a district attorney, that the attorneys never did come out. And so the troopers would pick the jury and she was holding court in her robe and I was picking the jury and everybody was related and the defendant had a legal question. And he asked her and she called me over and she said put your hat down on the table and go over there and give that man some legal advice. You are not a trooper now. So I went over there, listened to him, gave him some legal advice, came back, put my hat back on and we finished picking the jury and he was happy.

ARLENE CLAY: That was things you could do back in those days.

KAREN BREWSTER: Yeah.

JOHN MURPHY: Yeah.

KAREN BREWSTER: Everybody could do a little bit of everything.

JOHN MURPHY: Well she could make decisions, you know, but yeah.

KAREN BREWSTER: All right. Well thank you.