



SECWÉPEMC LAWS

OF KWSÉLTKTEN AND SECWÉPEMC-KT

CASEBOOK

compiled and edited by the
Indigenous Law Research Unit
& Shuswap Nation Tribal Council
with the Secwépemc Sna7 Elders Council

These materials were created for educational purposes. The authors refer to and engage with Secwépemc laws and stories—both stsptekwll (oral traditions), and slexéym (oral histories). The final materials (the Report, Glossary, and Casebook) created through this Project are co-owned by the community partner and ILRU. Neither the authors of these materials nor ILRU claim any ownership of Secwépemc stories or law. These materials are used by ILRU to teach and present about Indigenous law and their work.

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The Indigenous Law Research Unit acknowledges, with respect, the history and legal traditions of the lək'wəŋən peoples on whose lands our office stands, and those of the Songhees, Esquimalt, & W̱SÁNEĆ peoples, whose relationships with the land continue today.

Cover photo: Image of Little Shuswap Lake. Photo taken by Brooke Edmonds.



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FOREMATTER

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Social Sciences and Humanities Research Council



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Law Foundation of British Columbia

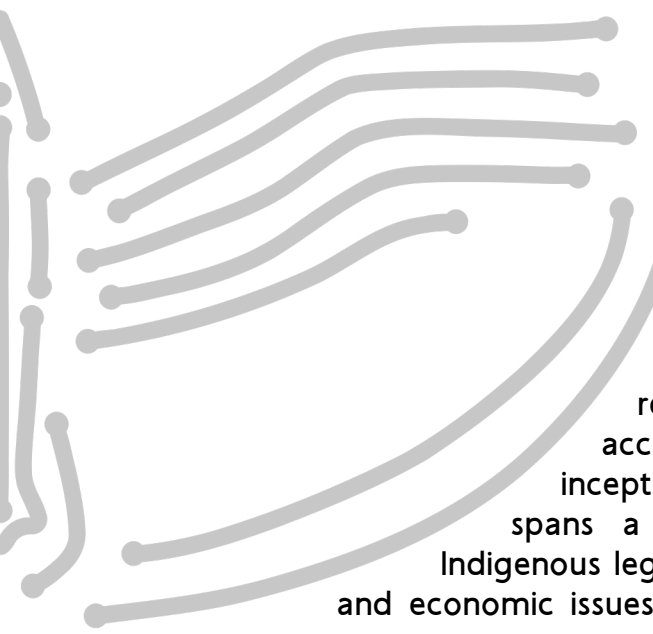


Real Estate Foundation of BC



ABOUT ILRU

The Indigenous Law Research Unit (ILRU) is an independent research unit housed at the University of Victoria's Faculty of Law. ILRU is dedicated entirely to the revitalization and implementation of Indigenous legal orders and governance. ILRU partners with and supports work by Indigenous communities and develops practical resources to tackle the large-scale challenges facing Indigenous and non-Indigenous communities today.



Collaborative, community-led, and relationship-centred research is at the heart of ILRU's work. ILRU's approaches bring the highest standards of community-based engagement, research, and ethics to building partnerships and articulating law within diverse and distinct Indigenous legal orders. ILRU develops and uses innovative and rigorous research methods so that Indigenous laws can be accessed, understood, and applied today. Since its inception, ILRU has been invited to take on work that spans a wide range of legal questions across many Indigenous legal orders, including social, environmental, political, and economic issues.

ILRU is committed to engaging with Indigenous laws using methods that centre Indigenous feminisms and include a diverse range of voices. Through these methods, ILRU develops educational resources, facilitates workshops and training, and contributes to assists with conversations on critical Indigenous legal issues. ILRU's resources have been used to guide curriculum development, support claims in Canadian courts, and inform policy, processes, laws, and practices addressing social and environmental issues.

The Indigenous Law Research Unit is:

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Associate Directors: Rebecca Johnson and Darcy Lindberg

Research Directors: Jessica Asch and Tara Williamson

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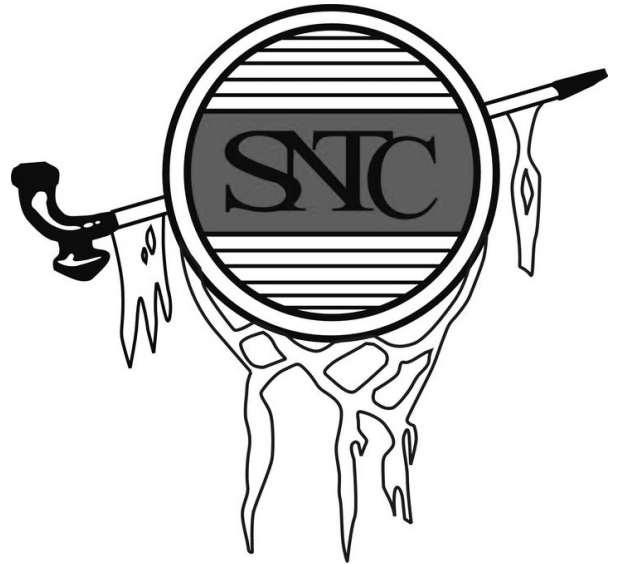
ABOUT SNTC

The Shuswap Nation Tribal Council (SNTC) is a coalition of nine Secwépemc Chiefs formed in 1980 to work on issues of common concern, such as the development of their self-government and the settlement of their aboriginal land title.

The SNTC's Council of Chiefs is comprised of the Chiefs from nine member First Nations: Adams Lake, Bonaparte, Neskonalith, Shuswap, Simpcw, Skeetchestn, Splatśín, Tł'emlúps (Tk'emlúps), and Whispering Pines/Clinton.¹

SNTC is a mechanism for its Secwépemc member nations to assert jurisdiction and govern over their lands regarding fisheries, child welfare, the implications on their rights pursuant to the Canada/US Columbia River Treaty and provide their community with employment training and career opportunities.²

SNTC is a knowledge-gathering forum allowing Secwépemc member nations to continue the revitalization of their laws. This process is informed in part by their Sna7a Elders Council, which discusses efforts to preserve language, cultural teachings, traditions, and the sharing of stories. Also working to support the governance is the Secwépemc Youth Council, which develops younger generations in the areas of leadership, governance, rights and title, culture, traditions, and the overall well-being of the Secwépemc Nation.³



¹ Shuswap Nation Tribal Council, "Council of Chiefs" (2023), online: <<https://shuswapnation.org/about/council-of-chiefs/>> [<https://perma.cc/Y7PX-AVSR>].

² Shuswap Nation Tribal Council, "Shuswap Nation Tribal Council" [Home Page] (2023), online: <https://shuswapnation.org/> [<https://perma.cc/NCN8-ZUTV>].

³ Shuswap Nation Tribal Council, "Youth Council" (2023), online: <<https://shuswapnation.org/youth/>> [<https://perma.cc/4434-K6GG>].



ABOUT THE SECWÉPEMC SNA7A ELDERS COUNCIL

ME7 T'EKSTÉM (MISSION STATEMENT)

Re stext'ex7é7em élkstmens e st'ekstés k cwk'úl'tns te m-sq'7est.s re Secwepemc re tk'wem7íple7tns ell le ts'ílmes le tk'wen7íple7tns le q'7es te qelmúcw ne Secwepemcúl'ecw.

The Secwepemc elders' Council works to move the nation forward in helping to re-establish and define our Secwepemc laws and ancestral ways of governance of the nation.⁴

⁴ Secwépemc Elders Council, "Secwépemc Elders Council May 30, 2019" Newsletter (30 May 2019) at 3, online (pdf): <shuswapnation.org/wp-content/uploads/2019/07/2019-May-30-SEC-Newsletter.pdf> [<https://perma.cc/5BAE-H3JZ>].



FOUR GUIDING PRINCIPLES

Kell7úpekst ell seséle te tsyuqwyéqw
(Ancestral Campfires)

Xyemstém xwexwéyt re k'wséltkten-kt ell xwexwéyt re k'wselktknéws-kt tek stet'e7ék te skwelk'welt wel m-t'7ek te cseksek'éwt ne sxuxwiýúlecwems nSecwepemcúl'ecw.

(Respecting all our families and relatives from the highest peaks and valleys within the territory.)

Stk'wem7íplems re Secwepemc ell re Stseptékwlls
(Secwepemc Law & Oral History)

Tsq'ey' ri7 mell ell, tsq'ey' ne mítk'ye-kt te m-sq'7est.s.
(It is written and it has always been there in our blood.)

Secwepemcúl'ecw ri7 re Tmicw-kt
(Title and Ownership)

Xwexwéyt re k'wselktknéws te Secwepemc me7 tsyecwemínt.s re tmicw wel me7 yews, Tsyecwemíct.s k stet'e7ék te se7wít tek Secwepemc.

All our Secwepemc relatives will take care of the land in perpetuity and pass it on to future generations.

Secwepemctsín
(Language)

Re xwqweltén-kt ell xwexwéyt- te k'wséltten-kt tsq'ey' mell ne tmicw.
Our language and our people are marked on the land already.⁵

⁵ Emphasis added. Secwépemc Elders Council, "Secwépemc Elders Council May 30, 2019" at 3, as cited above.



INTRODUCTION

Secwépemc law is founded upon, inspired by, and responsible for Secwepemcúlecw and Secwépemc people. It is expressed, among other ways, through the wisdom and teachings of oral histories and stories that have been learned, lived, and passed down for generations.⁶

Following the success of the first SNTC/ILRU collaboration, the Secwépemc Lands and Resources Law Research Project, the Secwépemc Sna7a Elders Council and the Shuswap Nation Tribal Council (SNTC) approached the Indigenous Law Research Unit (ILRU) to partner with them on a second project. The project focuses on standing up the laws of k'wséltkten (being relatives) and Secwépemc-kt (we are all Secwépemc, we call ourselves Secwépemc), which together begin to describe Secwépemc laws of belonging or citizenship.

The Secwépemc Laws of K'wséltkten and Secwépemc-kt Project (the “Project”) and its resulting *Secwépemc Laws of K'wséltkten and Secwépemc-kt Report* (the “Report”), *Secwépemc Laws of K'wséltkten and Secwépemc-kt Casebook* (the “Casebook”), and *Secwépemc Laws of K'wséltkten and Secwépemc-kt Glossary* (the “Glossary”) have two major aims. First, they mean to support the rebuilding of internal governance and citizenship laws from the point of view of Secwépemc law. Second, they intend to push back on colonial conceptualizations of membership that permeate contemporary understandings. In short, this work is about bringing Secwépemc people together to define themselves, on their own terms, and make those understandings accessible and known to the broader world.

⁶ Jessica Asch, Kirsty Broadhead, Georgia Lloyd-Smith & Simon Owen, *Secwépemc Lands and Resources Law Research Project* (2018) (Tk'emlúps: Shuswap Nation Tribal Council, 2016) at 2, online (pdf): *University of Victoria* <www.uvic.ca/law/assets/docs/ilru/SNTC%20Law%20Book%20July%202018.pdf> [perma.cc/8QXJ-YJG3].



THE CASEBOOK

This Casebook includes the narratives that ILRU researchers learned from and explored alongside community as part of the overall Secwépemc Laws of K'wséltkten and Secwépemc-kt Project. These stories helped form the legal principles, processes, and structures that are outlined in the Report.

The primary purpose of this Casebook is to be transparent about how ILRU has worked with narratives as resources for learning. That is, readers of the Report can see which narratives were used for the Project and how they were interpreted by ILRU researchers to articulate Secwépemc law. As many of the narratives from the Project are published in a multitude of difficult to find sources, assembling these narratives in this Casebook is one way to ensure these narratives are accessible to readers.

This Casebook is also intended for engagement with Secwépemc law outside of this Project. The narratives provide endless opportunities for learning, discussion, and debate about Secwépemc law and how it might be implemented to address today's challenges. To that end, the Casebook includes a thematic index of all the narratives, questions for legal narrative analysis and specific discussion questions following each story, and example legal narrative analyses for a selection of stories (in the “Example Legal Narrative Analyses” section). The hope is that the Casebook can stand on its own as a resource for further thinking, reflection, and conversation about how these stories relate to one another, the Report, and to the subject of belonging.

THE STORIES

Secwépemc oral traditions span hundreds of narratives. Moreover, many Secwépemc narratives have multiple versions as they are told and re-told across a diversity of times, voices, and places. This Project does not aim to offer a complete or authoritative account of Secwépemc oral traditions. Undoubtedly, many other narratives would offer additional information, depth, interpretation, and nuance to the Project and Report.



Deciding on which narratives to engage with for legal research is not an easy or precise process. As with other collaborations, the ILRU team worked in collaboration with community partners, including the participants and witnesses involved in the Project, to identify some of the most relevant and representative narratives that speak to this area of Secwépemc law. These are the narratives that appear in this Casebook.

The ILRU team's primary resource for narratives came from three publications attributed to James Teit:

- *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History*
- "Traditions of the Thompson River Indians of British Columbia" in *Memoirs of the American Folk-Lore Society*, and
- "Thompson Tales" in Franz Boas' *Folk-Tales of Salishan and Sahaptin Tribes*.⁷

Teit was an anthropologist who travelled Secwepemcúlecw in 1887, 1888, 1892 and in the early 1900s.⁸ He spent much of his time working with a friend and storyteller named Sxwé'ylecken (or Sixwi'lexken, "Big Billy"), who was his source for many stories or oral histories he recorded.⁹ Teit also spent much time with Sisyúlecw (also Sisiu'lâx) (George Louis, North Thompson Secwépemc (Símpcwemc) to record stories from the North Thompson.¹⁰ Although Teit was not Secwépemc, he is considered a reputable source.¹¹ Indeed, when Senkúkpi7 Cwlíken (Irvine Johnson), a storyteller, read a story written by Teit for this Project, he commented how it was "word for word"

⁷ James Teit, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 at 622, and 745-756 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909); James Teit, "Thompson Tales" in Franz Boas, ed., *Folk-Tales of Salishan and Sahaptin Tribes* (New York: American Folk-Lore Society, 1917) Vol 11; James Teit, "Traditions of the Thompson River Indians of British Columbia" in *The American Folk-Lore Society, Memoirs of the American Folk-Lore Society* Vol 6 (Cambridge, Massachusetts: Riverside Press, 1898).

⁸ James Teit, "The Shuswap" at 447, as cited above.

⁹ James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Law: Yeri7 re Stsǵey's-kucw* (Montreal & Kingston: McGill-Queen's University Press, 2017) at 20-21. Also see Wendy Wickwire *At the Bridge: James Teit and an Anthropology of Belonging* (Vancouver: UBC Press, 2019), at 124.

¹⁰ Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Law* at 20-21, as cited above.

¹¹ Wendy Wickwire *At the Bridge: James Teit and an Anthropology of Belonging* (Vancouver: UBC Press, 2019), at 26-28 and 175.



the story he was told by his grandfather. This is how he knew the stories recorded by Teit could be trusted.¹²

Responsible use is part of ILRU's ongoing commitment to research integrity. Please contact ILRU if you have any questions or concerns about how these narratives are reproduced or used in this project.

THE ADAPTED LEGAL NARRATIVE ANALYSIS METHOD

As part of ILRU's commitment to transparency, some of the narratives in this Casebook include examples of the analyses that the ILRU researchers created in their first stages of research. These can be found in the “Example Legal Narrative Analyses” section of this document. The tool used to create these analyses is called the adapted legal narrative analysis method. This approach is based on the case brief method, which is used in law schools to teach how to analyze decisions made by judges. This approach offers a useful way for learning to see the legal principles and reasoning in those decisions.

This method can help researchers rigorously and systematically engage with narratives within Indigenous legal orders to draw out principles of law. Unlike judicial decisions, however, the principles laid out in narratives are not always directly expressed. The adaptation of this method aims to pull out some of that reasoning to make it more explicit. Over time, using this tool to create and cross-reference many narrative analyses within a legal order can help illuminate patterns of legal reasoning, responses, principles, and processes.

The Indigenous Law Research Unit recognizes that Secwépemc narratives have been recorded, changed, and interpreted in illegitimate ways through western academic processes. Responsibly engaging with these narratives requires ILRU researchers to remain mindful of and transparent about their assumptions and interpretations. The analyses in this Casebook are provisional at best and are

¹² Senkúkpí7 Cwlíken (Irvine Johnson). Oral teaching, Skwíax kwséltkten project retreat (2019) as transcribed in NOTES – Secwépemc Citizenship Project – April Skwíax kwséltkten project retreat – April 4-5 2019 – DB Scribe.pdf at 1 as edited and validated in Validation – Senkúkpí7 Cwlíken (Irvine Johnson).pdf [Archived with ILRU].



not meant to impose any single interpretation on a narrative, or on the Secwépemc legal order more broadly. In this way, the method is ultimately a tool for learning and way to develop starting points for further discussion, analysis, and constructive engagement with law, all of which happens in conversation with Secwépemc partners and community members on this project.

As represented here, the adapted legal narrative analysis method commonly includes six sections:

Source	<ul style="list-style-type: none"> • Source of the story.
Issues: <i>What is a main issue or problem in the story?</i>	<ul style="list-style-type: none"> • Issues are the human problems raised in a story. These are questions that the researcher asks a story. • Although there are an infinite number of questions to ask a story, it is important to focus on one question at a time. • The question should be related to the broader research question. For example, for this Project, questions asked were about belonging or obligations of kin. • It is helpful to ask questions that speak to how people respond in a situation to draw out legal reasoning.
Facts: <i>What facts matter to answering the problem or issue?</i>	<ul style="list-style-type: none"> • Facts are the relevant background information to the issue. • They are the parts of the story that are necessary to understand a decision made in the story. • Not all facts in a story are relevant to a particular issue. Facts that are relevant help identify and understand the “what” and “how” of the issue.

<p>Resolutions/Decisions: <i>What was decided or how was the issue resolved?</i></p>	<ul style="list-style-type: none"> • Resolutions/Decisions are the answer(s) to the issue or question raised in a story. • There may be more than one resolution or decision. • Decisions or resolutions should be clear in the story. • The decisions should answer the issue question. If they don't, the researcher may need to adjust their issue.
<p>Reasons: <i>Why were decisions made? Why was that the resolution?</i></p>	<ul style="list-style-type: none"> • Reasons are the “because” of the decision. They explain why decisions were made or resolutions happened. • There should be at least one reason for every decision. • Some reasons will be clear and said in the story. Other times, the reasons are unsaid, but can be concluded or inferred based on other information in the story. • Researchers must be able to explain how their reasons come from the story itself, and not from other knowledge or information that cannot be linked to the story. • Finding the reasoning is important for drawing out specific principles in law.
<p>Brackets: <i>What other questions do you have? What do you want to bracket for yourself?</i></p>	<ul style="list-style-type: none"> • Brackets are information, questions, and thoughts that researchers may have about the story that may not fit into their analysis or that they do not understand. • Brackets are often helpful places to develop questions that other stories or people may be able to answer.



STORIES

ACCORDING TO THEME

BECOMING K'WSÉLTKTEN: INTERMARRIAGE, ADOPTION, TEACHING, & LEARNING CITIZENSHIP

The Goat Woman

Bluejay's Revenge

Dirty-Lad and his Wives

Story of Tcotcu'lcâ; or, The Hunter who became a Wolf

The Woman and the Pelicans

Story of Sna'naz

The Man who married the Sā'tuen

The Goat Woman

Coyote and Grisly Bear

Story of Bald-Headed Eagle

ENSURING SAFETY

Story of Owl

Coyote and the Cannibal Boy

The Women who sought for a Husband; or, The Women who married the Cannibal (Star) and Wolverine

Wolverene and Fisher

Story of the Moon and his Wives

Spider and Otter

The War with the Sky People

Old-One and the Brothers

Tleē'sa and His Brothers

Story of Kuxka'in

Coyote and Grisly Bear

Story of Bald-Headed Eagle

Story of Muskrat

Story of the Lynx

RECOGNIZING KINSHIP TIES

The Woman who became a Grisly Bear

Story of the Salmon-Boy

Story of the Tsôtenü'et's Son

Story of Woodpecker's Marriage; or, Bluejay's Revenge

Grisly Bear's Grandchildren

The Sucker Story or Story of Suckerfish

Story of Bald-Headed Eagle



ACTING WITH TRANSPARENCY/HONESTY

Grisly Bear's Grandchildren
The Gambler's Son and Red-Cap
Story of the Tsôlenü'et's Son
Story of Sna'naz

Coyote and his Son; or, The Story Of Kaŋla'llst
Coyote and Grisly Bear

SHARING, KNUCWENTWÉCW (HELPING ONE ANOTHER), & YÚCWMENTSWÉCW (LOOKING AFTER ONE ANOTHER)

Story of Grasshopper
Story of Hu'pken
Story of Tcotcu'lcâ; or, The Hunter who became a Wolf
Story of Skunk and Beaver
Story of Sna'naz
The Man who married the Sā'tuen
The Woman and the Pelicans

The War with the Sky People
Old-One and the Brothers
Tlĕē'sa and His Brothers
Story of Kuxka'in
Coyote and Grisly Bear
Story of the Lynx
The Sucker Story or Story of Suckerfish

RESPONDING TO PROBLEMS WITH KŴSÉLTKTEN

Beaver and Porcupine
Story of Hu'pken
Story of Grasshopper
Coyote and his Son; or, The Story Of Kaŋla'llst
Story of Skunk and Beaver
Dirty-Lad and his Wives
The Man who married the Sā'tuen
The Gambler's Son and Red-Cap

The War with the Sky People
Old-One and the Brothers
Tlĕē'sa and His Brothers
Story of Kuxka'in
Story of Bald-Headed Eagle
Story of Muskrat
The Sucker Story or Story of Suckerfish

CITIZENSHIP AND POWER

Coyote and his Hosts
Story of Sna'naz

The War with the Sky People
Old-One and the Brothers



Story of Tcotcu'lcâ; or, The Hunter who became a Wolf

Story of Owl

Story of the Moon and his Wives

Tlĕĕ'sa and His Brothers

Story of Kuxka'in

Story of Bald-Headed Eagle

Story of Muskrat

CITIZENSHIP AND GENDER

The Women who sought for a Husband; or, The Women who married the Cannibal (Star) and Wolverine

Story of the Moon and his Wives

Story of Sna'naz

Dirty-Lad and his Wives

Coyote and His Niece

Coyote and his Wives

Coyote and his Son; or, The Story Of Kaŭla'llst

Tlĕĕ'sa and His Brothers

Coyote and Grisly Bear

Story of Bald-Headed Eagle

Story of Muskrat

Story of the Lynx

Spider and Otter

CITIZENSHIP AND THE NATURAL WORLD

The Sucker Story or Story of Suckerfish

The Women who sought for a Husband; or, The Women who married the Cannibal (Star) and Wolverine

The Woman who became a Grisly Bear

Story of the Tsôŭenü'et's Son

Story of the Moon and his Wives

Story of Skunk and Beaver

Old-One and the Brothers

Tlĕĕ'sa and His Brothers

Coyote and Grisly Bear

REBUILDING AND RETURN TO COMMUNITY

Spider and Otter

Grisly Bear's Grandchildren

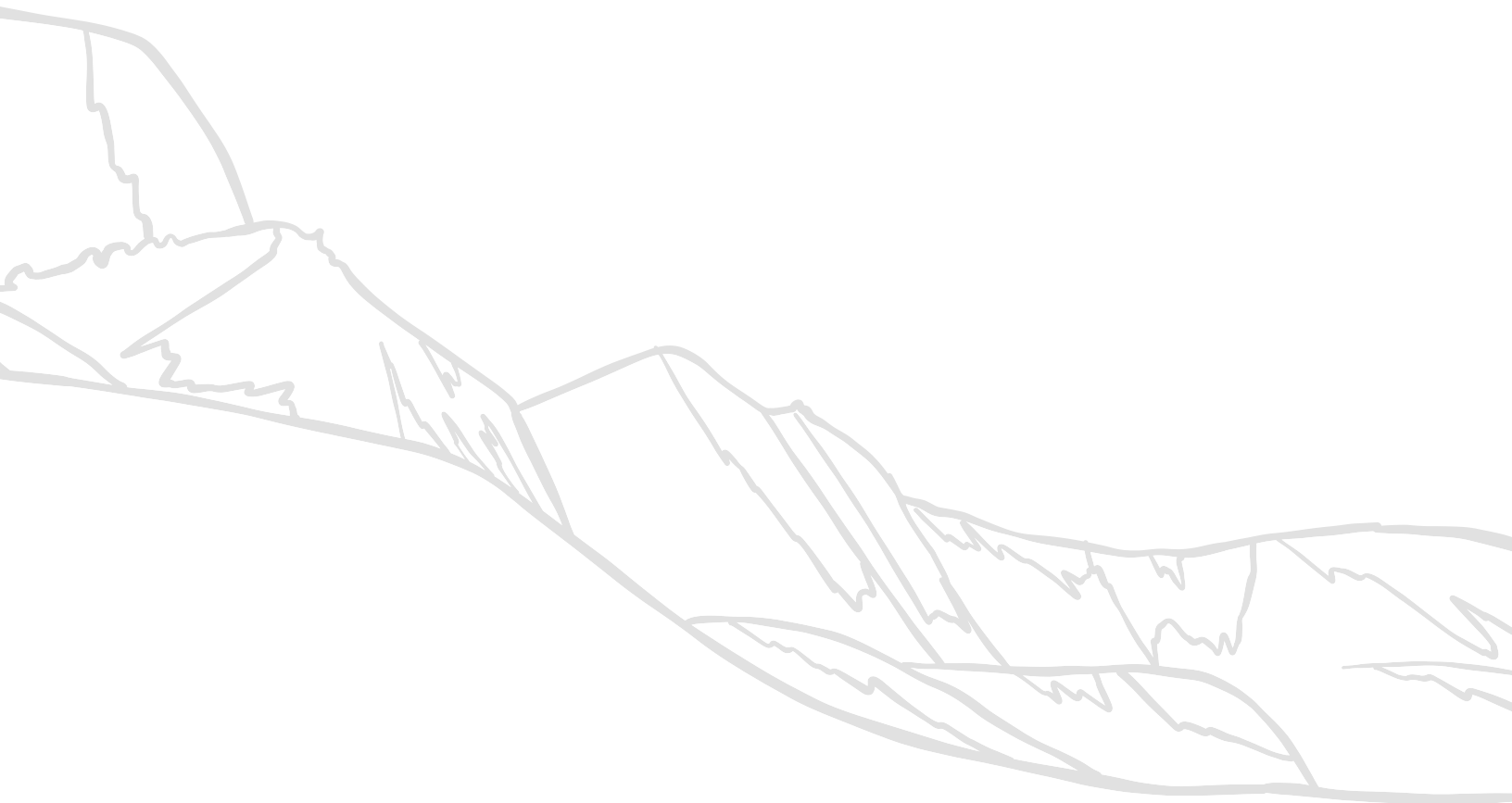
Story of the Tsôŭenü'et's Son

The Sucker Story or Story of Suckerfish

Story of Suckerfish



THE STORIES



COYOTE AND HIS SON; OR, THE STORY OF KAŁLA'LLST¹³

Sxwéýlecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁴ "Coyote and His Son; Or, the Story of Kałla'llst" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 622-623 [*Story of Kałla'llst*].

Coyote lived with his son (or nephew) Three-Stones (Kałla'llst), who had two wives, one of whom was old and the other young. Coyote desired to possess his daughters-in-law, and made up his mind to get rid of their husband. One night he was heard laughing as he approached the house; but when he came nearer, he began to cry, and upon entering went to his place on the opposite side of the fire and wiped his eyes. He was asked why he cried, and he answered, "What I saw to-day makes me sad. I saw an eagle's nest with the eaglets nearly ready to fly. I considered how highly our ancestors valued eagle-feathers, and thought how we had none. I wished to get them, but knew I was too old and stiff to climb up for them." Afterward he said to Three-Stones, "You had better climb for the feathers to-morrow. Put on all your best clothes. Our ancestors always dressed nicely when going after eagles."

Next morning Coyote took his son to a cliff some distance away, and pointed out to him the nest. The cliff was very low, and easy to ascend, having many jagged steps leading up to the ledge where the nest was. Then he told his son to divest himself of all his clothes, and leave them behind, adding, "Our ancestors always did so." Three-Stones stripped off his clothes and ascended the cliff. When he had but one more step to take to reach the nest, he became aware that something was wrong. Looking below, he saw that the cliff had grown to such a height that he was almost afraid to look down, and, instead of having rough steps as before, it was now smooth.

¹³ Original footnote: By the North Thompson Shuswap, Coyote is often called Hôxalex. Original Footnote: This legend is a much-distorted account of Coyote's son's ascent to the sky (see Teit, Traditions of the Thompson Indians of British Columbia, pp. 21 et seq; Ferrand, Traditions of the Chilcotin Indians, p. 29 of this volume.

¹⁴ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



Looking up, he saw that the cliff above was overhanging. He was as if in a hole, and could neither get up nor down. Coyote had caused the cliff to grow so that his son could not return.

Then Coyote gathered up his wrinkled skin so as to make it look smooth, and tied it in several places on his back. He did this to make himself look young, and to resemble his son. Then, putting on Three-Stones' clothes, he went to the lodge, saying to himself, "I will deceive my daughters-in-law." When he neared the camp, he cried, saying, "Oh! my father climbed after the eagle's nest, and was killed. Poor father!" The women thought he was their husband, and bewailed Coyote's death.

He [Coyote] slept with them [his son's wives] that night, and on the next morning said, "We will move. Father's ghost may visit us, and, besides, we do not wish to be reminded of him by seeing constantly the place where he has lived so long." They shifted camp to a place two days' journey away.

Meanwhile Three-Stones sat on the cliff and lamented his fate. Two women, the Bush-tailed Rat and the Mouse, heard him, for they were gathering Indian-hemp bark on a hillside underneath, and they resolved to help him. They said, "Our nephew is in difficulty. We must try to help him." The Mouse sang, and the cliff grew lower until it was only half the height. Then the Rat sang, and the cliff assumed its former height and shape. Three-Stones descended and thanked the women for their assistance.

Turning aside a little distance, he pulled out four pubic hairs, and threw them on the ground. From these there grew up a dense thicket of tall Indian-hemp bushes, which he showed to the women, who were glad to find a place where they could obtain so much good bark.¹⁵ Proceeding to his camp, he found it deserted, but he followed the tracks of the party until he located them.

It was night, and Coyote was sleeping with both the women. Three-Stones entered, lighted the fire, and waked Coyote, who pretended to be half asleep. Then he struck the women, saying, "Why do you roll over so near to me? Your husband has come back." Three-Stones said to Coyote, "Say no more. You need not try to deceive me." He then took his clothes away from Coyote, and discovered the knots in which the loose skin of the old man was tied up. He untied it and informed Coyote that henceforth they would live apart. Taking the younger wife for himself, he gave the older to Coyote and left him.

¹⁵ Original footnote: See Teit, Traditions of the Thompson River Indians, p. 24.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when one of your close family members tries to harm you?
- What is an appropriate response when one of your close family members is being harmed?
- What are some responses to exclusionary practices within a community?
- What are some responses to abuses of power within families?
- How to respond when a relative or community member is experiencing conditions of vulnerability?

DISCUSSION QUESTIONS

- Why did Bush-tailed Rat and Mouse help Three-Stones? Do you think it was because he was their nephew? He was Coyote's nephew too.
- What might have happened if Coyote had just asked for one of Three-Stones' wives, instead of trying to steal them both?
- What do you think about the apparent obligations between Three-Stones and his wives? Three-Stones seems to have continuing authority over his wives' choices, including having the ability to give the older one away to Coyote. What about their autonomy and agency? Did they have a choice?
- Why did Three-Stones listen to Coyote's instructions?



COYOTE AND HIS HOSTS¹⁶

Sxwé'lecken (or Sixw'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁷ "Coyote and His Hosts" (Excerpt) in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 627-630.

Coyote was travelling over the earth. He felt hungry. He saw a house, entered, and found it inhabited by an old man called Fat-Man (Skia'uzkelestî'mt).¹⁸ There was nothing to eat in the house, and he thought, "What will this old man give me to eat?" The man knew his thoughts, and, making the fire blaze brightly, he sat with his bare back close in front of it. His back became soft and greasy, and he asked Coyote to eat. "Eat what?" said Coyote. And the man answered, "My back, of course." Coyote refused at first; but the man invited him to eat his back. Coyote said to himself, "I will bite his back right to the bone, and kill him." Going up to the man, he took a big bite; but the piece came away in his mouth, and no mark was left on the man's body. He found the food was very good.

Now he thought he could do the same thing: so, making a big blaze, he turned his back to the fire. But his back burned; and the smell of burning hair made the man angry, who threw him outside, saying, "You try to imitate me, but you cannot do it. You fool! Don't you know it is I only who can do that?"

Continuing his journey, Coyote came to another house, which he entered. It was inhabited by an old man called Fish-Oil-Man (Stiauzka'instîmt). Feeling hungry, and seeing nothing in the shape of food, he wondered what this man could give him to eat. The man made the fire blaze, and placed a wooden dish for catching drippings in front of it. He held his hands over it, with the fingers turned down, and the grease dropped from his finger-ends. When the dish was full, he placed it before Coyote, and asked him to eat.

¹⁶ Footnote added by ILRU researchers: Only part of the story is presented in this Casebook.

¹⁷ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁸ Original Footnote: — tîmt is a suffix used in men's names.



Coyote said, "I can't eat that." And the man answered, "Try it. It is good." Coyote then ate some, and, liking it, he finished the contents of the dish.

Coyote thought, "I will show this fellow that I can do the same thing." So, making the fire blaze, he took the wooden dish, and held his hands above it, in the same way the man had done. His hands shriveled up with the heat, but no grease dropped from them. This is the reason why the coyote has short paws. He cried with pain; and the man threw him outside, saying, "You fool! That method belongs to me only."¹⁹

Again Coyote was travelling, and, coming to the house of a man called Beaver-Man (Skala'uztîmt), he entered. He felt hungry, but saw nothing to eat. He wondered what the old man would give him. The man took a sap-scraper and a bark dish, went outside to an alder-tree, and scraped off the cambium layer. When the dish was full, he brought it in and gave it to Coyote, who had been watching him meanwhile. Coyote said, "I cannot eat sticks." And the man assured him it was good, and that it was sap, and not sticks. Coyote ate, and found it very good.

Now he tried to imitate Beaver-Man. He took a sap-scraper and bark dish, went to an alder-tree, and scraped off the bark, which he offered to the old man, saying, "Eat some of my food." The man, seeing it was only bark, threw it away, and said, "Why do you try to imitate the methods which you ought to know belong to me only?"

Coyote continued his journey, and reached the abode of an old man called Kingfisher-Man (Tsalastî'mt), who lived in an underground house near the water's edge. He entered the house, feeling hungry, and looked around for food, but could see none. He thought, "What can this fellow give me to eat!" The man stripped the bark off a willow-bush, and made a string of it, which he put around his waist. Then he ascended to the top of the ladder, gave a cry, and dived down into the water through a hole between some driftwood.²⁰ Coyote watched; but, as he did not see him re-appear, he thought he must be dead. At last, however, the man came up bringing a string of fish, which he cooked and placed in a dish in front of Coyote. The latter refused to eat, saying that it was bad food. He was, however, assured that it was good, and ate it all.

¹⁹ Original footnote: See Teit, Traditions of the Thompson River Indians, p. 40.

²⁰ Original footnote: Some say a hole in the ice.



Then Coyote made a bark string, went to the top of the ladder, and cried like a kingfisher. Then he dived into the hole. But his head stuck fast, and he would have been drowned had not the man pulled him out, saying, “You fool! Why try to imitate the method that belongs to me alone?”²¹

Coyote travelled along, and came to an underground house in which people were dancing. He looked in, but saw only a row of different kinds of snowshoes, which were standing on their ends all around the house. As soon as he left, the dancing commenced again; and when he looked in, it stopped. Then he entered and seized one of the snowshoes; and the others at once attacked him, striking him all over the body. He threw down the snowshoe he had seized, and ran out.²²

He continued his journey, and soon he came to another underground house, which was quite full of small children. He said to himself, “I will play a trick on them,” went in, took off his moccasins, and showed the children some cracks in the heel of his foot. He said, “My shoes are full of holes, and my feet have become very sore.” Then all the children went out and brought in gum, which they gave to Coyote. That night, when they were all asleep, he daubed their eyes with gum, and then left the house.

The mothers of these children were Blue (or Dusky) Grouse, Willow (or Ruffed) Grouse, Prairie-Chicken (or Sharp-tailed Grouse), and Fool-Hen (or Franklin’s Grouse). When the children awoke in the morning, they could not open their eyes, and, wandering around, lost one another, and could not find their way back to the house. Their mothers arrived, and after some difficulty found them all, and cleaned their eyes.

The children told them that Coyote had played them this trick: therefore the Grouse followed his tracks until they caught sight of him. The trail followed along the brink of a precipice. They passed Coyote unobserved and hid themselves near the precipice, at considerable distances apart. As Coyote came along, he sang, “They will never find their children, I have tricked them!” While he was thus singing, Fool-Hen arose suddenly from cover, and startled him. When he saw who it was, he said, “Oh, it is you! I suppose you are going home. Well, you will find your children all well.” Going on, he commenced to sing again, and forgot all about meeting Fool-Hen, when

²¹ Original footnote: See Teit, *Traditions of the Thompson River Indians*, p. 41.

²² Original footnote: *Ibid.*, p. 22.



suddenly Prairie-Chicken arose, and startled him as he leaned over backwards. He said to Prairie-Chicken, "You will find your children all well," and continued on his journey, and again commenced to sing, when Willow-Grouse flew out, and startled him so that he nearly fell back over the cliff. He recognized the Grouse, and said, "You are going home. You will find your children all well." He kept on his way and sang his song, when suddenly Blue-Grouse arose in front of him with a loud noise, and startled him so much that he lost his balance and fell right over the cliff into the river below.

Here he was in danger of drowning, and transformed himself into one thing after another; but, as none of them floated satisfactorily, he at last changed himself into a piece of plank. Thus he drifted down the stream until he came beyond the Lower Thompson region,²³ where he was stopped by a weir belonging to two sisters who inhabited that country, and who were noted for their magic. On the next morning, when the woman came to their weir to catch salmon, they saw a piece of plank, which they picked up, saying, "We will take this piece of wood home. It will make a nice dish." They made a plate of it; but each time they ate of the food would diminish so quickly that it disappeared before they had taken many mouthfuls. At last they became angry and threw it into the fire, saying, "There is too much magic about that dish."

Coyote immediately transformed himself into a little baby boy, and cried from the centre of the fire. The women said, "Quick! Pull it out! We will rear it as our child;" for they had no husbands or children. They made a carrier for him, and when they went to bed they placed him between them. When they were both asleep, Coyote arose and had connection with them, returning again to his cradle. Next morning, when they went to wash themselves, one of them said, "I feel queerly. My abdomen is all wet." And the other replied, "I also feel strange. There is blood between my legs." — "How can this be," said they, "when no men are around?"

Soon Coyote outgrew his carrier, and the woman alternated in carrying him on their backs when they travelled about. He annoyed them very much, however, for he would constantly slip down lower and lower on their backs until he managed to have connection with them.

Thus the women kept him for a time, until one morning he arose early,

²³ Original footnote: Some say the mouth of the Fraser River, or near the mouth.



and, going to the weir, broke it in the middle, and crossed to the opposite side of the river. When the women awoke, they searched for him, went to the weir, and found that it was broken and the salmon were passing through in great numbers. Then they noticed Coyote walking up the other side of the river; and he called to them, "I am going back to my country. If your children are males, rear them; but if they are females, stick them on the points of tree-branches." The women said, "It is the dog of a coyote who has been fooling us, and playing tricks on us." They were unable to mend the break in their weir, for Coyote had beaten them in magic. They said, "Coyote has stolen our salmon, and has left us pregnant." Coyote now conducted the salmon up the Fraser River to its source, and afterward up the Thompson River. This is the reason why the Fraser River is a superior salmon stream to the Thompson River. He said, "Henceforth every year, this season, salmon shall run up the rivers, and the people of the interior shall fish, and eat them. They shall no longer be kept at the mouth of the river, nor shall the people there have a monopoly of fishing and eating them."

As he went along, he cleared the waters of the rivers of obstructions, and arranged the banks so that it should be easy for people to fish for salmon as they ascended. The people were grateful for this great work of Coyote.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate way to enter into new relationships?
- How do we maintain our “good standing” as hosts? As guests?
- What is an appropriate response when your child is harmed by a stranger?
- What is the appropriate response when encountering children who appear to be on their own?
- How should individuals or communities respond when people are experiencing conditions of vulnerability, such as children?

DISCUSSION QUESTIONS

- At the beginning of the story, Coyote immediately assumes that the Fat-Man will give him food. Was Fat-Man obligated to share food? Why or why not?
- How do the various hosts remind us, and Coyote, that people are themselves resources, and that we must also show respect for the various ways that wealth and security are found in relations and relationships, and not just in material resources?
- Who do you think the two magical women at the weir were? Do you think they were Secwépemc, or do you think they were from a different nation?
- Why was Coyote “travelling over the earth”? What territories do you think he was moving through?

COYOTE AND GRISLY BEAR

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁴ "Coyote and Grisly Bear (Fraser River and North Thompson Division)" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 630-632 [Coyote and Grisly Bear].

Coyote visited the old Grisly-Bear-Woman, and said to her, "I wish to live with you. You are a nice old woman." She assented, and he took up his abode with her. He had not been there long when he thought he would play her a trick. She was in the habit of defecating while sitting on a pole which she had laid across a deep, narrow gulch. One day while she was in the house, Coyote went to this place, and, after cutting the stick nearly through the middle, told it to break the next time Grisly-Bear-Woman came to use it. Soon after he returned, Grisly-Bear-Woman went to defecate, and Coyote watched her from the top of the underground house.

Grisly-Bear-Woman had just finished when the stick broke, and she fell to the bottom, where she was covered with dung, which stuck to her fur. Coyote was so amused that he rolled over and over on the ground, laughing.

Grisly-Bear-Woman wiped herself and went home. As she entered, Coyote went out, and, coming in again, sniffed, and said, "I smell excrement." Then, looking at one of his feet, he said, "I must have stepped on excrement." Sniffing again, he held up his other foot and looked at it also. Grisly-Bear-Woman felt ashamed, and, going outside, wiped herself again. As she returned, Coyote went outside, and, entering again, sniffed and looked at his feet, as before. Grisly-Bear-Woman went and wiped herself again. When Coyote had done this four times, Grisly-Bear-Woman went to the water and washed herself.

It was now winter-time, and Coyote thought he would play another trick on Grisly-Bear-Woman. Taking some dead leaves, he threw them into the river, and they changed into salmon. Then he took some dry service-

²⁴ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



berries from the trees and threw them at the bushes, thus making them green, and laden with many fresh berries. He went to the house, and informed Grisly-Bear-Woman that many salmon were running and the service-berries were ripe. She would not believe him: therefore he took her along and showed her the salmon and the berries. When they returned to the house, he said to her, "There is no use eating old food when there is plenty of new to be had. Let us eat all of your stores of provisions. There is no use keeping them. To-morrow I will help you pick berries, and afterward I will help you catch salmon. After you have enough of both, I will leave you and go on a journey."

Grisly-Bear-Woman agreed to this, and, bringing out her stores of dried salmon and dried berries, spread them in front of him. Then Coyote and Grisly-Bear-Woman ate all day and far into the night, finishing all.

Then Coyote said, "We will sleep for a while, and early in the morning we will start to pick berries." When Grisly-Bear-Woman had fallen asleep, Coyote put a rotten log in the place where he used to sleep, and covered it over with his blanket. Then he left the house, and caused a cold wind to blow, which withered up the leaves and berries he had made grow, and covered the river with a thick sheet of ice. After this he made a heavy snow fall, which nearly closed up the entrance of the underground house. When Grisly-Bear-Woman awoke, she noticed the snow, went outside, and saw everything covered with ice and snow, and no sign of berries or salmon. Then she returned to the house, saying, "Coyote has fooled me: I will kill him." She hastened to Coyote's bed, thinking he was still asleep, seized what she presumed to be her husband, and commenced to tear it, only to find that it was a piece of rotten wood. Being left totally without food, Grisly-Bear-Woman soon starved to death.²⁵

²⁵ Original footnote: Compare the end of this tale with Teit, Traditions of the Thompson River Indians, pp. 28, 29.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are ways to respond to abuse in the home or abuses of power?
- What steps should be taken when deciding to marry someone?
- What is an appropriate response to consistent manipulative and abusive behaviour in community?
- What community standards exist for a person outside of community trying to marry in? How are those determined in an appropriate way?

DISCUSSION QUESTIONS

- Why did Grisly-Bear-Woman trust Coyote so much?
- How should Coyote have treated the Grisly-Bear-Woman? Did he fail at any of his obligations?
- Where is the community when Grisly-Bear-Woman ran out of food?
- Would the community have allowed Grisly-Bear-Woman to marry Coyote?



COYOTE AND HIS NIECE

Sxwé'lecken (or Sixw'ilexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁶ "Coyote and His Niece" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 639-640.

Coyote and his niece²⁷ lived alone in the same house, and slept on opposite sides of the fire. One morning Coyote happened to see her privates, and said to her, "Why do you show your privates? Keep them covered. I feel strange when I see them." The woman felt ashamed at what Coyote said. The latter thought, "I will play a trick, that I may have intercourse with my niece;" for, after seeing her privates, he desired her very much.

He pretended to be very sick, and said, "I am dying. Come here, and I will tell you what to do. Take a large spoon made of sheep's-horn, and a birch-bark basket, and dig a grave for me. Bury me in the hole you dig, just leaving my head uncovered. Then place a basketful of lily-roots (*Lilium columbianum* Hanson), and another one of service-berries, beside my head as a grave-offering. I shall never eat roots or berries anymore, so be liberal and place plenty at my grave. Also leave the spoon and bark bucket nearby, for it would not be right to take these away and use them when they had been once used for digging a grave. Then leave me to rot, and go to my brother,²⁸ who dwells in an underground house away to the south, and live with him, for you cannot live here alone. Marry the first nice man that comes along and wants you." Bidding his niece good-by, Coyote pretended to die, and was buried as directed.

Then the woman took all her property, travelled to her friends, and told them of her uncle's death. After she had departed, Coyote came out of the grave, and, taking the bark bucket, he fetched water, and boiled the berries and roots together. When they were done, he ate with the spoon, and thus he cooked and ate until all the food was consumed.

²⁶ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

²⁷ Original footnote: Some say it was his daughter.

²⁸ Original footnote: Some say friend.



Then he travelled until he came near to the place to which his niece had gone. Here he went to a shallow lake, and, taking a horse-tail reed, he transformed it into a nice-looking bark canoe. He tore algae and other plants from the bottom of the lake, and transformed them into many blankets of green and yellow colors. He transformed a piece of taxpā'wood²⁹ into a gun, and some alkali-grass into dentalia, with which he ornamented his body. He donned the brightest-colored blanket, painted his face red and black, dressed his hair, and placed two large feathers that looked like an eagle's tail-feathers, one on each side of his head, so that they stood up like horns. He attached long streamers of red ribbon to their tips. Then, going to the river some distance above the people's house, he launched his canoe and paddled downstream.

The people saw him approaching, and called to one another, "A richly dressed stranger is coming in a canoe!" He had almost passed the people, whose curiosity was aroused by his appearance. They hailed him, asking where he was going, and if he had any news. He answered them in the Okanagon language, and they said among themselves, "He is an Okanagon," and invited him to come ashore. He tied up his canoe and entered the house. When the girl saw him, she said to herself, "This is surely the man my uncle told me about." She shook a mat, and spread it for him to sit on. Then he asked the people for the woman, and gave them all his dentalia, blankets, gun, and canoe as a marriage-present. That night he slept with his niece, and had intercourse with her. Next morning he arose before daybreak, and left.

When the woman awoke, her husband was gone, and the people found their rich presents transformed. The dentalia had become alkali-grass; the gun, a stick; the blankets, water-plants; and the canoe, a horse-tail. The people said, "Oh! this is certainly Coyote. He has played a trick on us." The woman was ashamed when she learned that her uncle had lain with her.

Soon afterwards some of the people saw a man walking up the river on the opposite bank, and they all ran out to have a look at him. It was Coyote, who called across the river, "If the child is a branch with a hole in it, hang it up in a tree; but if it is a branch with a spike on it, then rear it." He meant the child his niece would bear to him, as she was already pregnant.³⁰

²⁹ Original footnote: A tree which bears a whitish berry, which the Indians eat.

³⁰ Original footnote: This last incident in the story forms part of a Thompson Indian Coyote story.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are appropriate responses to potential abuses of power?
- What is an appropriate response when family members are alone and vulnerable and need to be cared for?
- What steps should be taken when deciding to marry someone?
- What are appropriate practices and processes for outsiders wishing to marry into the community?

DISCUSSION QUESTIONS

- Why do you think the niece trusted Coyote so much?
- What is the significance of whether the child was born as a stick with a hole or a stick with a spike? Why did Coyote give different directions for the baby depending on what they looked like?
- What do you think happened after the baby was born?



COYOTE AND THE CANNIBAL BOY

Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),³¹ "Coyote and the Cannibal Boy" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 640-641.

As Coyote was passing near the house of some people, he saw a boy, whom he captured. He put him on his shoulders and walked away with him as fast as he could. Now, Coyote had a small boil or sore at the root of his neck, or somewhere between his shoulders; and the boy, seeing it, picked the skin off and commenced to probe it. Coyote said, "Don't do that! It hurts." But the boy said, "I am only opening the sore to let the matter out, so that it may soon get well." Thus the boy opened up the sore four times, until it bled and became large; and each time Coyote remonstrated with him, for it was painful. At last he reached home with the boy, and the people asked him where he had gotten him, and what he intended to do with him. Coyote answered, "Oh! I stole him. When he grows, he will do everything for me. He is my slave." The people said, "If he belongs to any tribe nearby, his friends may attack us, and try to get him back." Coyote did not know that the boy was a cannibal's son.

That night Coyote made his bed and put the boy in it, covering him over with a blanket, and lay down alongside of him. In the same bed, on Coyote's other side, lay a woman with whom he was familiar.³² Shortly after going to bed, Coyote turned his back to the boy, and, laying his head on the woman's breast, he soon fell fast asleep. Then the boy put his mouth to Coyote's sore and sucked out all his blood and flesh, leaving nothing but the bones and skin. The boy swelled out very much, and had a thirst for human blood and flesh. Therefore he arose and killed all the people, and ate them,

³¹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

³² Original footnote: Some say his wife.



excepting one man who happened to wake up, and who made his escape. As the boy ate the people, he kept on growing, until, by the time he had finished his meal, he had attained the proportions of a man of gigantic bulk and enormous weight. Now, following the tracks of the man who had escaped, he soon began to draw near him. As he ran along, he repeatedly uttered the cry, "A'ak!"³³ and the man, hearing him coming, threw earth behind him, thus slowing the cannibal's progress.³⁴ Four times he retarded him thus, but at last the cannibal came close up to him again.

Then the man hastily made a fire, and, taking a marmot's bone, a porcupine's bone, a wolf's bone, and a grisly bear's bone, he put them into the fire. Taking them out again, he sharpened their points, and transformed them into four dogs, placing those made of the marmot and porcupine bones in front, and the other two a little farther back, while he himself sat down behind all. He made the dogs lie down quietly, with their jaws resting on their front feet, and leaving enough space for a person to pass between them. The cannibal approached, and asked the man to call in his dogs, that he might pass. The man answered, "Pass between them: there is plenty of room. They are very quiet dogs, and have never been known to bite anybody." The cannibal walked in between them, and, when he had passed the first two, all the dogs attacked him simultaneously and tore him to pieces. They devoured him, and licked his blood off the ground. Then the man returned home, and found Coyote still alive, but in such a weak condition that he could not walk. The man hunted deer, killed many, and fed Coyote until he regained his flesh and strength, and became quite well again. The man and Coyote lived together for a long time.

³³ Original footnote: See Teit, *Traditions of the Thompson River Indians*, p. 79.

³⁴ Original footnote: Some say he merely threw earth so that it formed small mounds and ridges, and that, being soft, it impeded his walking. Others say he threw the earth behind him. Rolling up the surface, as it were, he threw it behind, and it spread out, making a wide expanse of space, and thus the pursuer had to cover a great distance.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What steps should be taken when introducing a stranger into the community?
- What is an appropriate response when a person/stranger/cannibal is harming your community?
- What is an appropriate response to a kidnapping of a child from outside of your own community?
- What is the proper response when finding a child on their own?
- How to respond when you are confronted by a person who is dangerous and harmful?

DISCUSSION QUESTIONS

- Why do you think Coyote didn't realize that the boy was dangerous? What warning signs did he miss?
- Did the cannibal boy act the way he did because he was taken from his community without his consent?
- What is the significance of the number four in the story? Four times the boy opened the sore; four times the man slows the boy by throwing earth behind him; the man makes four different dogs.
- Does the story say that cannibals are always a danger? Or was the problem how Coyote brought the cannibal boy into the community in the first place?
- What do the animals that transformed into dogs represent? What are the strengths of each animal and how might those strengths help a community when confronting a danger?
- Why did the rest of the people die and only Coyote lived, when Coyote was the one who kidnapped the cannibal boy and brought him to the community?
- Why did the man save Coyote? Were there obligations to heal Coyote even though he was the cause of the problems?



OLD-ONE AND THE BROTHERS

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),³⁵ "Old-One and the Brothers" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 643-644.

Once when Old-One, or Chief, was travelling over the earth, he came to a place where four brothers were living. The brothers were about to make a canoe; and that day the eldest had taken some food on his back, and an axe, and had gone into the woods to pick out a good canoe-tree, and to fell it. While wandering around in the woods, he met Old-One, but did not recognize him. Old-One told him he was hungry, and asked if he could give him something to eat. The man answered, "I have nothing to eat myself." They separated; and the man, finding a nice straight tree, felled it and then went home. Next morning, when he came to work the tree, he found that it was crooked. This frightened him. He went home and told his brothers what had happened.

Then the second brother went out; and he also met Old-One, who asked him where he was going and what he would do. He answered, "I am looking for a good tree. I intend to make a canoe." Old-One asked him if he could give him something to eat, for he knew the man carried food in a sack; but the man answered that he had nothing to eat himself. They separated; and the man found a fine straight tree, which he chopped down. On the next morning it was bent and twisted in all directions.

After this the third brother went out in search of a tree, and the same thing happened to him.

At last the youngest brother went out. He was despised by all the others. After he had been travelling some time, and when it was about noon, he met Old-One in the forest, and was asked the same questions his brothers had been asked. He replied that he had a little food, and offered the sack

³⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



with its contents to Old-One, saying, “You may eat all the bag contains. I do not care if I go hungry myself for a time. I am young and strong, while you are old and weak.” Old-One took the bag, emptied out its contents, and asked the young man to shut his eyes. When he opened them again, the food had increased fourfold,³⁶ and, although they both ate their fill, they were not able to finish it. Old-One told him to throw away what was left. Then Old-One asked the young man for his axe, and, telling him to wait where he was, he disappeared in the timber. Soon the young man heard a sound as if many people were working wood. Suddenly the sound ceased, and Old-One re-appeared, saying, “Your canoe is finished. Come and look at it.” The lad went, and beheld a fine canoe. He thanked Old-One for his help. When the latter left, he gave the young man an iron axe in place of the one made of stone which he had used before.

When the people saw the canoe, they pronounced it the best they had ever seen, and they wondered that the inexperienced youth had been able to make such a fine craft. The people also wondered at the iron axe, for hitherto they had seen axes of stone and antler only. The lad's brothers despised him no more. Thus he won much by being kind and hospitable.

³⁶ Original footnote: Some say it had increased to a great heap, and was changed to the very best kind.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when a stranger asks for your help?
- What is an appropriate response when you find yourself in need?
- How do people in powerful positions determine who should inherit important gifts?

DISCUSSION QUESTIONS

- Do you think your obligations to help someone in need should be different based on their conditions of vulnerability (for example, their age, strength, or access to resources)?
- What do you think about the younger brother being despised by all the other brothers? How do you think the status of the youngest brother changed after receiving so much food, the best canoe, and an iron axe?
- What would have happened if the youngest brother did not give food?
- How would the story have changed if, instead of brothers, they were sisters?

TLĒĒ'SA AND HIS BROTHERS³⁷

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),³⁸ "TLĒĒ'sa and his Brothers (Fraser River and North Thompson Divisions)" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 644-651 [TLĒĒ'sa and his Brothers].

TLĒĒ'sa was the eldest³⁹ of four brothers who lived with their aunt⁴⁰ somewhere near Kamloops. With them also lived a small boy called Kwelaā'llst,⁴¹ who was a grandson of their aunt. The latter was called "mother" by them all, and was a woman of profound wisdom. She often bemoaned the fact that there were so many evil beings and cannibals in the country, thus rendering it hard for the Indians to live, and preventing them from increasing. Many of the present-day animals were at that time human beings with animal characteristics; and all of them were cannibals, who used many devices to entrap and slay the unwary. TLĒĒ'sa pondered deeply and long over the matter, and at last decided that he would try to rid the country of these evil beings.

Then his "mother," in her wisdom, looked over the world, and told him the names of the several cannibals, and the places where they lived. She also told him the different methods they employed to kill people, and how he might conquer them. She only forgot to tell him about Pubescent-Girl (the chipmunk).

Finally TLĒĒ'sa, who was gifted with great magic, started out, assisted by his three brothers,⁴² to vanquish the cannibals. They carried no weapons

³⁷ Original footnote: Compare Farrand, Traditions of the Chilcotin Indians, p. 7 of this volume; Teit, Traditions of the Thompson River Indians, pp. 42-45; G. M. Dawson, Notes on the Shuswap People of British Columbia (Transactions of the Royal Society of Canada, 1891, Section II, pp. 31-33, 35).

³⁸ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

³⁹ Original footnote: Some say, also that he was the shortest of stature (see Teit, Traditions of the Thompson River Indians, p. 42).

⁴⁰ Original footnote: Some say grandmother.

⁴¹ Original footnote: One Indian said he had heard that Kwelaā'llst was the offspring of the hog-fennel-root (compare Dawson, Notes on the Shuswap People of British Columbia, p. 31). He is called by the North Thompson "Shuswap lukema'llst or lukemenē'llst."

⁴² Original footnote: TLĒĒ'sa was more gifted with magic than his brothers, and acted as their leader.



with them, Tleē'sa alone having a double-ended arrow-flaker of deer-antler, which could also be used as a dagger.⁴³

First of all, they repaired to the house of the four Grisly Bear sisters,⁴⁴ who possessed arrow-stone. Tleē'sa entered the house, and the others waited for him outside. By the power of his thoughts he made the women jealous, and evilly disposed towards one another. Then he proposed marriage to them, and, calling them aside one after another, he told each that the other was talking evil about her. Finally he induced them to fight among themselves. As soon as they became angry, their hair fell out, for it consisted of arrow-knives and arrow-points loosely set in the skin. When great numbers of these had dropped, he gathered them up and gave them to his brothers outside. When they had enough, he ordered the women to stop fighting, telling them that he had lied to them to make them angry, in order that he might obtain arrow-points. They answered, "Why did you do that? If you had asked, we would have given you plenty of arrow-stone. It was not necessary to make us angry." Then the brothers threw the arrow-heads on the ground, saying, "Henceforth arrow-stone and arrow-flakes shall be scattered over the whole country, and people will find them in plenty, and use them. They shall no longer be in the possession of a few."⁴⁵

From this point the brothers journeyed toward the place where the four cannibal Grisly Bears lived. In the same place lived Coyote and many other people.⁴⁶ Tleē'sa transformed himself into a dog,⁴⁷ with small arrow-points in place of hair, spear-points for teeth, and a very large arrow-stone knife for a tail. The brothers led him as they neared the underground house of the Grisly Bears. Coyote saw them approach, and called out, "Three men and a dog are coming! That is my dog!" When the brothers reached the house, they saw that heaps of human bones were piled up around it. They were invited in, tied their dog to the top of the ladder, and entered. The

⁴³ Original footnote: Compare the magic stick carried by Lendix'tcux in the Chilcotin legend (Farrand, *Traditions of the Chilcotin Indians*, p. 11 of this volume).

⁴⁴ Original footnote: Some Indians say this place was on the north side of Kamloops Lake. Others say the story never stated any place in particular, although the Bonaparte Shuswap and the Thompson Indians say the incident happened near the Arrowstone Hills, on the east side of the Bonaparte River. Compare this part of the story with Teit, *Traditions of the Thompson River Indians*, p. 76; and with Dawson, *Notes on the Shuswap People of British Columbia*, p. 35.

⁴⁵ Original footnote: From this time on, the brothers all carried arrow-stone knives.

⁴⁶ Original footnote: In the North Thompson version, one half of the people were Grisly Bears; the other half, Coyotes.

⁴⁷ Original footnote: In the North Thompson version of this story, lukemenê'llst takes the place of Tleē'sa.



people asked them to play a game of hide-and-seek outside. The bark of a large tree which stood close by had been scraped off all around by the Bears' claws, and the brothers were told that they would play around the tree. Soon the Bears caught the brothers and killed them. Meanwhile Coyote had examined the dog, and spit in its face. Once, however, he got his face too near, and cut his lips on the dog's hair. Then he said to the dog, "You are indeed wonderful."

When the people came back, he told them about it; and they said, "Let us play with the dog." They then let him loose, and he ran to and fro among the Grisly Bear people, killing them with his sharp hair, teeth, and tail. Whenever his tail swung round and hit a man, it cut him in two.

When he had killed them all, he changed back to his former self, went to the bodies of his brothers, and jumped over each of them, thus bringing them back to life. Then he said, "Henceforth the grisly bear shall be a mere animal, able to kill people only at times when they are foolish. It shall no longer live on human flesh, but on roots and berries."⁴⁸

Continuing their journey, the brothers came to Little-Tobacco-Place (Pesma'menex),⁴⁹ near Dead-Man's Creek, where the poisonous tobacco-tree grew. It was a large, very leafy tree, and all around it lay the bones of its victims; for any one who touched its leaves, or rested in its shade, invariably died. TIEē'sa said, "I will smoke tobacco." His brothers tried to dissuade him; but he insisted, and, going up to the tree, he cut it down with his arrow-flaker. Taking the leaves, he smoked them himself, and gave his brothers the stalks to smoke. Then he said, "Tobacco shall never again kill people. It will be a good plant, and people shall gather and smoke it without harm."⁵⁰

Continuing their journey, the brothers came to where the Thompson River flows out of Kamloops Lake. At this place the river was blocked by a huge elk, which stood tail up-stream. Everything that floated down-stream entered the monster's anus, and passed out at its mouth. When a canoe with people tried to pass, the former only passed through the elk, which devoured the crew.⁵¹ TIEē'sa said, "I will eat elk-meat." His brothers answered that he

⁴⁸ Original footnote: Compare preceding part of this story with Teit, Traditions of the Thompson River Indians, pp. 30, 31; and with Farrand, Traditions of the Chilcotin Indians, p. 13 of this volume.

⁴⁹ Original footnote: Wild tobacco was plentiful here.

⁵⁰ Original footnote: Compare preceding part with Farrand, Traditions of the Chilcotin Indians, p. 12 of this volume. In the North Thompson version the tree killed the people by falling on them. When it fell on TIEē'sa, he put his arrow-flaker upright, and the tree rested on it.

⁵¹ Original footnote: Some say he killed them by pressing his sides in on them.



must not attack the monster, for he would certainly be killed. He insisted, however, and, lying down on a board, he floated down, and entered the elk. When his brothers saw only the board pass out of the elk's mouth, they said, "Tlĕē'sa is certainly dead." Presently, however, they saw the beast stagger, and very soon it fell down on the bank dead. They were cutting the carcass to find the body of their brother, when he called to them from inside, saying, "Be careful! you may cut me." He had placed his flaker crossways inside of the elk, and had then cut off its heart, thus killing it. Then Tlĕē'sa said, "The elk shall no longer have supernatural powers. Never again shall it eat people. Henceforth elk shall be hunted and killed by the people, who will eat its flesh, and dress its skin."⁵²

Continuing their journey, the brothers reached a cliff called (Ox)tseta'ks,⁵³ in the Bonaparte Valley. Here dwelt a ram of the mountain-sheep,⁵⁴ which killed everybody who passed that way by blowing its breath on them. Tlĕē'sa said, "I will eat sheep-flesh;" and against the wishes of his brothers, who feared he would be killed, he went up toward the ram, which blew on him, but without effect. Tlĕē'sa ripped up the ram with his arrow-flaker and killed it. Then he transformed it into a proper mountain-sheep, saying, "Henceforth you shall be a common sheep, unable to harm the people, who will hunt you, and make use of your flesh and horns."

Here Tlĕē'sa sat down and made a spoon out of one of the ram's horns, and his brothers joined him. As they were sitting there, a boy passed by, running along on the flat ground underneath them. He was carrying a small bundle on his back, and his bow and arrow in his hands. It was Kwelaā'llst, who had been sent out in haste to overtake the brothers, and tell them of the mysterious power of Pubescent-Girl, and how to overcome her. The brothers did not recognize him; and, although they called to him, he did not hear. Then they made up their minds to kill him, and kicked down the stones from the cliff on to the flat below, the boulders falling all around him.⁵⁵ When the dust cleared away, they saw him going along singing, as if

⁵² Original footnote: Compare the preceding part with Farrand, Traditions of the Chilcotin Indians, p. 10 of this volume; also with Dawson, Notes on the Shuswap People, etc., p. 32. Boas, Indianische Sagen von der nord-pacifischen Küste Amerikas, p. 2.

⁵³ Original footnote: This place is near Doc. English's ranch; and the Indians claim that the forms in stone, of a big-horn ram and of a dog barking at it, may still be seen there.

⁵⁴ Original footnote: In the North Thompson version, a mountain-goat.

⁵⁵ Original footnote: In the North Thompson version, he puts the woven cooking-basket over his head, thus protecting himself.



nothing had happened. Four times they kicked down the rocks,⁵⁶ but with the same result.⁵⁷ Then they ran after him, and, when they had reached him, recognized him.

He said to them, “You had better eat of my food. You must be hungry.” Taking off his pack, which consisted of a round basket-kettle called selEkwa'n, and some ska'metc, hog-fennel, and other roots, he put them in the kettle and boiled them with hot stones. When cooked, he placed the food before the brothers. Tlĕĕ'sa remarked that the kettle was too small, and declared he could eat the contents at one spoonful. He helped himself first, and filled his large horn spoon, almost emptying the kettle. He turned away to swallow it; but when he turned back, the kettle was just as full as at first. Thus they all ate and were satisfied.⁵⁸ When they had finished, Kwelaā'llst left them without telling his errand, and went home.⁵⁹

From there the brothers followed up the Bonaparte until they came to a place called Skelawa'ułux,⁶⁰ which is a deep hollow surrounded by cliffs. Here dwelt the beaver and its friends, which were noted for their magic. They were not cannibals; but at that time people did not know how to kill them, and they were considered to be possessed of mysterious powers. Tlĕĕ'sa said he would eat beaver-flesh. He made a beaver-spear, and tied a strip of white bark around each of his wrists,⁶¹ that his brothers might see him more readily if he were taken under water. Going up to the beaver, he harpooned it, and was dragged into the creek. His brothers watched his movements under water, but at last lost sight of him. They searched for him in all the creeks, and dug trenches⁶² in many places, but without result. At last they dug a very deep trench along the main creek, and found him. When they dug near to him, he said, “Be careful not to hurt me! I am here.” He had been carried into the beaver's house in the bank, where he had finally killed the beaver. Now the brothers killed many beavers, and took their skins. They also ate the big beaver's meat, and said, “Henceforth beaver shall be

⁵⁶ Original footnote: Indians say the stones may still be seen on the flat, where they were kicked down.

⁵⁷ Original footnote: Compare, Teit, *Traditions of the Thompson River Indians*, p. 43; and Dawson, *Notes on the Shuswap People*, etc., p. 31.

⁵⁸ Original footnote: See Teit, *Traditions of the Thompson River Indians*, p. 43; Boas, *Sagen*, p. 3.

⁵⁹ Original footnote: Compare Farrand, *Traditions of the Chilcotin Indians*, p. 14 of this volume.

⁶⁰ Original footnote: This place is a chasm near the old 59-mile post on the Caribou Road.

⁶¹ Original footnote: Some say he painted his wrists white.

⁶² Original footnote: The Indians say these trenches may be seen in the shape of hollows and vales in the hills at this place.



speared by people, and their flesh and skins made use of. They shall no longer possess mysterious powers.”⁶³

Continuing their journey, the brothers came to a place near the creek called Stony-Hollow (Nxa'nExtem),⁶⁴ where the marmot⁶⁵ had a house in the rock Tlĕē'sa said, “I will eat marmot-flesh;” and his brothers told him he would certainly be killed, for no one could enter the marmot's house without the top of the entrance crushing him down. On his way to the house, Tlĕē'sa, seeing two of the marmot's little ones, killed them both, and stuck them in his belt. When he entered the house, the rocks shut on him; but he placed his flaker vertically in the entrance, and passed inside unharmed. Then he transformed the animal into the common marmot, of the present day, saying, “Henceforth you shall be the common marmot, and shall never again be able to kill people, who will use your flesh and skin.”⁶⁶

From this place the brothers turned back, descending the Bonaparte until they arrived at the mouth of Hat Creek, which they ascended. A little distance from the mouth, they arrived at a place called Little-Coming-out-Place (Puftpu'tlemten), where, on one side of the trail, there was a smooth rock. Here Tlĕē'sa said, “Let us amuse ourselves by seeing who can stick his head farthest into the rock.” The three brothers, one after another, pressed their heads against the rock, but made only slight impressions. Then Tlĕē'sa pushed his head against the rock, and it went in to the ears and bridge of the nose. When he pulled his head out again, a red mark was left in the cavity.⁶⁷

Continuing their journey, the brothers came to a place at the Marble Cañon called Break-Wind-Water-Place (Npê'atkwaten), where there is a lake. Here lived the skunk, which killed people. Tlĕē'sa said, “I will eat skunk-flesh;” and thereupon he transformed the skunk to the present-day animal of that name. Cutting out the bag containing the scent, he emptied it into the lake,

⁶³ Original footnote: Compare Farrand, Traditions of the Chilcotin Indians, p. 13 of this volume.

⁶⁴ Original footnote: This place is a little beyond the old 59-mile post (from Lillooet), mentioned above.

⁶⁵ Original footnote: In the North Thompson version, the bush-tailed rat.

⁶⁶ Original footnote: Compare Farrand, Traditions of the Chilcotin Indians, p. 12 of this volume; Teit, Traditions of the Thompson River Indians, p. 48; and Boas, Sagen, p. 1.

⁶⁷ Original footnote: Compare preceding part with Dawson, Notes on the Shuswap People of British Columbia, p. 32; with Teit, Traditions of the Thompson River Indians, p. 45; and Boas, Sagen, p. 4.



thereby changing the color of the water. Then he ordained that never again should the skunk be able to kill people with its secretion.⁶⁸

Close by here, in a high cliff, lived the cannibal eagle, which swooped down on people, and, picking them up, dashed them against the rock, the base of which was strewn with human bones. Tlĕē'sa said, "I will have eagle-feathers to decorate myself." Unobserved by his brothers, he put some white paint in one side of his mouth, and red paint in the other. When the eagle saw him approach, it swooped down and clutched him, and flew with him high up on the cliff, against which it dashed him. Tlĕē'sa warded off the blow with his flaker, and let the red paint flow out of his mouth. When his brothers saw Tlĕē'sa dashed against the rock, they said, "He is dead. See his blood!" Again the eagle dashed him against the rock, and he let the white paint flow out of his mouth. Now his brothers said, "He is surely dead. See his brains!" The eagle, thinking he was dead, placed him on the ledge where its nest was, whereupon Tlĕē'sa killed it with his flaker, and pulled out its tail-feathers. Then, tying the eaglets one to each wrist, he commanded them to fly down with him. When they alighted, he pulled the large feathers out of their wings and tails, and gave them to his brothers. He transformed the cannibal birds into eagles, saying, "Henceforth you shall be ordinary eagles without the power of killing people. Your feathers shall ornament the heads, clothes, and weapons of men."⁶⁹

Continuing their journey, the brothers came to a place called Hillside (Kola'ut), on Pavilion Creek, where the cannibal hare lived. The hare always reclined on its back, with one knee over the other, and its foot sticking out close to a stick stuck in the ground, on which it had a roast. When any one came along and asked it for food, it told them to help themselves. As soon as they reached forward to take the roast, it would strike them with its foot, killing them. Tlĕē'sa said, "I will eat hare-meat;" and, approaching, he asked for some roast. The hare said, "Take it," and kicked him in the breast as he reached for it. The blow had no effect, however, for Tlĕē'sa had put on a breastplate of mica before approaching the hare.⁷⁰ Then he took the hare by

⁶⁸ Original footnote: See Teit, *Traditions of the Thompson River Indians*, pp. 45, 59, 60; also Dawson, *Notes on the Shuswap People*, etc., p. 35.

⁶⁹ Original footnote: See Dawson, *Notes on the Shuswap People*, etc., p. 32; also Teit, *traditions of the Thompson River Indians*, p. 45; Farrand, *Traditions of the Chilcotin Indians*, p. 12 of this volume; and Boas, *Sagen*, p. 4.

⁷⁰ Original footnote: In the North Thompson version it is stated that the Hare broke his foot when striking the flat stone that Tlĕē'sa had hidden under his shirt. See also Boas, *Sagen*, p. 2.



the foot, and threw it away among some bushes, saying, "Henceforth you shall be a harmless, timid hare; and people shall eat your flesh, and dress in your skin."

Near this place, but on the opposite side of Pavilion Creek, lived a woman called Tsakelsxene'łxa, who killed men. Tlĕē'sa said, "I will have connection with the woman." His brothers tried to dissuade him, saying he would certainly be killed; but he insisted. In front of her house was a bridge formed by the long legs of a bird called sokwa'z.⁷¹ When any one tried to cross, he rolled his legs over, and hurled them into the creek. Tlĕē'sa crossed first; and when he was on the middle of the bridge, sokwa'z turned his legs over, trying to throw him into the creek. Tlĕē'sa got across, and, going up to the bird, held his flaker above its head, saying, "If you move your legs when the others cross, I will kill you." Thus the brothers crossed safely, and they transformed the creature into the sokwa'z-bird which we see at the present day, saying, "Henceforth you shall be a bird with little power, and rarely seen. When a person sees you, a relative will die."⁷² Now Tlĕē'sa went to the house of Tsakelsxene'łxa; and she agreed when he said he would have connection with her, for she had teeth in her vagina, which she made close on the penis of any man who tried to have connection with her, thus killing him. Tlĕē'sa placed his arrow-flaker across the inside of her vagina, and had connection with her. All his brothers had connection with her after him. Then he transformed Tsakelsxene'łxa, saying, "Henceforth you shall be an ordinary woman, and hereafter men will have connection, and women's vaginae will not bite or kill them."⁷³

Then the brothers, following up Fraser River toward High Bar, passed west of Pavilion Mountain, over a high bluff, on the flat top of which they saw a Chipmunk, who was also a pubescent girl. She was dancing, and they stopped to look at her. The brothers tried to transform her, but could not manage it properly. They walked forward, but found their feet getting heavy. After a few more steps, they became transformed, and gradually turned to stone where they stood. The Chipmunk girl became changed into stone of a red color, for she was painted red at the time; and the stripes, like those on a chipmunk, may still be seen on her back. The place where she stands is

⁷¹ Original footnote: Described by the Shuswap as a rare bird having long legs and a bluish body.

⁷² Original footnote: See Farrand, Traditions of the Chilcotin Indians, pp.11, 12, of this volume.

⁷³ Original footnote: Ibid., pp. 12, 13 of this volume.



called Lułi't. The place where Tl̓ē'sa and his brothers stand is called Slemmi'x. The former may be seen a little distance to the rear of his brothers, for he was behind them when they all became transformed.⁷⁴

⁷⁴ Original footnote: Compare Farrand, Traditions of the Chilcotin Indians, p. 14 of this volume; Dawson, Notes on Shuswap People, etc., p. 33; Teit, Traditions of the Thompson River Indians, p. 45; Boas, Sagen, p. 41. Among the North Thompson Indians the following additional incident was obtained: The brothers came to a place on the North Thompson above the Red Trees Reserve, where, on looking over a cliff, they saw two Goat girls bathing in the river below. They had their bodies painted red. Łēē'sa drew away their breaths by drawing in his own, and they became transformed into two red stones, which may be seen there at the present day. There is a cliff at this place near the river with a rock-slide at the bottom.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are some ways to recognize relatives outside of your familiar surroundings or outside territory? What steps should you take?
- What is an appropriate response when you don't have information in the context of an emergency?
- What is an appropriate individual or collective response to dangerous threats to people in the territory?

DISCUSSION QUESTIONS

- How might the story have ended if Tlĕē'sa or his brothers had recognized Kwelaā'llst sooner?
- What is significant about the Chipmunk being a prepubescent girl? Can you think of other ways that Tlĕē'sa might have defeated the four Grisly Bear sisters?
- At what time is a community supposed to intervene against dangers to the community?
- Is the woman Tsakelsxene'łxa just as dangerous as the others? Why or why not?
- What are some Secwepemctsin words in this story? What do they mean and why are they important to this story?
- What places are named in this story? Do you know where they are? If not, how would you find out where they are?

BEAVER AND PORCUPINE

Sxwé'lecken (or Sixw'ilexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),⁷⁵ "Beaver and Porcupine" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 654-655.

Beaver and Porcupine lived together. They used to eat together; but Beaver became dissatisfied because Porcupine always ate Beaver's share in preference to his own. Beaver said, "Henceforth we shall eat apart. So at meal-times he took his own food, and sat down some distance away to eat it, leaving Porcupine to eat by himself. Porcupine, however, would always leave his own food, and, going to Beaver, would eat his.

Then Beaver determined to get rid of Porcupine. He said to him, "Tomorrow we will move camp to the mountains, where there is an abundance of food." They packed their household goods, and, after travelling some time, they reached the mountains, where they camped. The following morning Beaver said to his friend, "You will find much food to eat here. I am going hunting, but shall return very soon." When he had gone some distance, he stopped and transformed Porcupine, saying, "Henceforth you shall be a common porcupine, and shall always inhabit the mountains. You shall never again live with Beaver, nor steal his food, neither shall you ever live in a good country." Beaver continued his journey, and took up his abode in a flat, swampy country with numerous lakes, where he lived alone. This is why beavers prefer that kind of country at the present day, and also why porcupines inhabit the forests of the mountains.

⁷⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when a relative or friend will not stop stealing from others?
- What is an appropriate response when relatives need to access sustenance in order to survive, even when they are harming you in some way?

DISCUSSION QUESTIONS

- Why do you think Porcupine took Beaver's food? Was his own food the wrong kind of food?
- Did Porcupine know it was wrong to eat Beaver's food? Would knowing that change how you view the story? If so, how?
- Can you think of other ways that Beaver might have dealt with the fact that Porcupine kept stealing his food? What would you have done if you were Beaver?
- If you were Porcupine, would you think that the way Beaver dealt with the situation was fair?
- Do you think the separation between Beaver and Porcupine was permanent or temporary? How might they be able to live together again? What would need to happen for that to take place?



STORY OF GRASSHOPPER⁷⁶

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),⁷⁷ "Story of Grasshopper" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 655.

Grasshopper lived with the people who were busy catching and curing salmon. They said to him, "Come help us. It is the salmon season. We must all work, that we may have a plentiful store of salmon for the winter." Grasshopper answered, "No, I do not like to work. I like to amuse myself playing, jumping, and making a noise. I do not need salmon. I like to eat grass, of which there is great plenty all around here." Soon winter came, and the grass was all covered deep with snow. Then Grasshopper was cold and hungry. Finding nothing to eat, and being in a starving condition, he begged the people to give him some dried salmon. This they refused to do, telling him to go and play, and eat grass. When he was nearly dead, they transformed him, saying, "Henceforth you shall be the grasshopper (tekata'ka), and, as you were too lazy and thoughtless to catch salmon, you shall live on grass, and spend your time jumping around and making much noise."⁷⁸

⁷⁶ Original footnote: A variety of grasshopper called tekata'ka.

⁷⁷ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

⁷⁸ Original footnote: Some say the people did not transform him, but allowed him to die of starvation (see Æsop).



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when a relative refuses to help gather and store food for the community?
- What is an appropriate response to individuals who are not contributing to a communal need?
- What is a response when a community member is begging for a resource that they refused to help harvest?

DISCUSSION QUESTIONS

- Why was Grasshopper transformed into a common grasshopper?
- Did Grasshopper know that winter coming would mean that there would be no more grass to eat? Did Grasshopper know what winter was?
- What else could the community have done to convince Grasshopper to help?
- How does this story compare to *Story of Hu'pken*? What are some of the differences in how the stories end?



THE WOMAN AND THE PELICANS⁷⁹

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),⁸⁰ "The Woman and the Pelicans" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 657.

A Shuswap woman saw a large flock of pelicans flying overhead. It was springtime, and they were on their passage north. She said, "I wish I were one of those birds, and that I could fly as they do!" Then she whistled, and called to them, "Take me with you, pelicans!" When the birds heard her, the whole flock came down, and, as they reached the height of the treetops, the wind caused by the flapping of their wings was so strong that it took the woman off her feet.

First she tried to resist, and clung to the lower branches of the trees; but as the flock gathered around her, she could hold on no longer, and was carried away by them, ascending as with a whirlwind. Thenceforth she staid with the pelicans, and, marrying one of them, became as one of themselves. She never learned to fly quite as fast as her friends, however; and she may be seen every year on her way north, flying behind the others, accompanied by her husband and children.⁸¹ When people whistle at them as they fly overhead, the whole flock stop and circle around, or drop down to a lower level and fly along in this way for some distance.

⁷⁹ Original footnote: Some say cranes.

⁸⁰ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

⁸¹ Original footnote: The two or three lone pelicans that always fly behind the main body are said to be this woman and her husband. They are generally called "the man and his wife," or "the woman and her husband."



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- How does one transition from one community to another, specifically through marriage?
- What are appropriate community responses when a person has joined the community through marriage?

DISCUSSION QUESTIONS

- If someone marries into a new community, do you think that their rights and obligations as kin are different than other community members? How so?
- Do you think the woman staying with the Pelicans for a certain amount of time was a condition of her becoming a Pelican?
- Is there significance to the fact that the Woman never learns to fly as fast as the others?
- Why do you think the woman wanted to leave her community to join the Pelicans?
- Why do you think the Pelicans drop down closer to the ground when people whistle?



STORY OF WOODPECKER'S MARRIAGE; OR, BLUEJAY'S REVENGE

Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),⁸² "Story of Woodpecker's Marriage; or Bluejay's Revenge" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 663-665.

Bluejay was the greatest warrior and war chief of the myth people. No one dared to disobey him. For many years he had carried on wars with the Hoary-Marmots and the Antelopes; but for a number of years there had been peace between them, and Bluejay had almost forgotten to look upon them as enemies.

One day he addressed his people, saying, "There will be final peace between us and the Antelopes and Marmots. My heart feels soft toward our enemies, and our peace shall be sealed by intermarriage. Woodpecker (Tcokqa'in⁸³), who is greatest of my people, shall marry one of their daughters. Antelope and Marmot are both wealthy chiefs, and each of them has a daughter fair and good. — Go, Woodpecker, and obtain one of them. Flicker (Tcoktceqwa'sp⁸⁴), Red-breasted Woodpecker (Tcekwa'ken⁸⁵), and Sap-Sucker (Tcekwo'kiēks⁸⁶) will accompany you."

The four Woodpeckers departed, and, upon nearing their destination, came to a camp composed of many old people, one man of whom asked them where they were going. They answered, "Nowhere in particular. We are just seeing the country." The old man said, "Young men do not generally

⁸² Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

⁸³ Original footnote: The red-headed woodpecker, probably *Ceophlaus pileatus*.

⁸⁴ Original footnote: The red-shafted flicker (*Colaptes cafer*)

⁸⁵ Original footnote: The red-breasted woodpecker, probably *Sphyrapicus ruber*.

⁸⁶ Original footnote: Probably the red-naped sap-sucker, a variety of woodpecker with yellow head and dark body; according to others, yellow-bellied with red on the head, probably *Sphyrapicus varius nuchalis*.



travel to see the country, but to see women. You are going to ask for the chiefs' daughters. Well, you may get them, for their parents will not give them to any of their own people, but are keeping them until some rich strangers happen along."

Continuing their journey, the Woodpeckers came to a great open plain, where Antelope lived in an underground house. Near by, on a knoll, was the house of Hoary-Marmot. Believing the latter to be the wealthier of the two chiefs, they went to his house first. Marmot entertained them hospitably, and, when night came, spread marmot robes for them to sleep on. They lay all together, and, when everyone else seemed to be asleep, Woodpecker (Tcokqa'in) arose, and, crawling over to where the chief's daughter lay, he asked her if she would become his wife. She assented, and on the next morning told her parents that the chief of the, strangers had lain on her robe. The parents agreed to the marriage, saying they were glad to be connected with the people of such a great chief as Bluejay. Marmot gave them many marriage-presents; and on the fourth day Woodpecker left, taking the bride and presents with him.

When they neared home, Coyote, who was on watch, saw them approaching, and called out, "Four men are coming with one woman!" Then Bluejay prepared a place for the bride, and welcomed her as though he were her father-in-law.

Sometime afterward Bluejay said that the couple should pay a return visit: so he sent the Woodpeckers and others of his men to act as the body guard of the bride and bridegroom, and many slaves to carry the present she gave to Marmot and his people. Woodpecker (Tcokqa'in) staid with Marmot until his wife had borne him two children, when he returned again to his tribe. Coyote saw them coming, and called out, "A man, a woman, and two children are drawing near!" Bluejay was glad to see them, and welcomed the children, caressing them as if he were their grandfather. Then they staid a long time with Bluejay, and the children grew large.

At last the woman said she would like to visit her people again. Therefore Bluejay sent many men to escort them, and slaves to carry the presents. When they were departing, he said to the Woodpeckers, "You may stay some time with the Marmot and Antelope people, and play games with them until you are tired; but none of you must marry their women." Now,



the party staid a long time, and, when about to return home, Flicker (Tcoktceqwa'sp) married Antelope's daughter. When Coyote saw the party approaching, he called out, "Many men are coming, accompanied by two women and two children!" When Bluejay heard this, he took to his bed, covered himself with his robe, and would not speak. When the party arrived, Woodpecker's (Tcokqa'in) children ran to play with him, but he took no notice of them.

At last Bluejay arose and addressed his people, saying, "Flicker (Tcoktceqwa'sp) disobeyed me, and my heart became so sad that I cried. I cannot weep for nothing.⁸⁷ When my tears came, I remembered my enemies, and my heart has now grown hard. To-morrow we will go to attack them." Bluejay painted and dressed himself for war; and all his men went with him, including Woodpecker (Tcokqa'in) and Flicker (Tcoktceqwa'sp), for they dared not refuse. They attacked the Marmot and Antelope people, slaying them nearly all.⁸⁸ "Now," said Bluejay, "I have wiped away my tears."

⁸⁷ Original footnote: Some add, "Women's tears may flow for nothing, for oft about little they weep; but the tears of a man and a warrior require some recompense. It is not easy for him to weep."

⁸⁸ Original footnote: Some say exterminated them.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate way to form new kin relationships in the context of treaty?
- What is an appropriate response when there is a direction from a leader that you don't agree with or don't understand?

DISCUSSION QUESTIONS

- What would have happened if Blue Jay had explained the consequences of a second marriage? How would it have impacted people's actions?
- What are the obligations of a leader to be transparent about reasoning?
- When should leaders be involved in decisions about citizenship? What happens when individuals disagree with those decisions?
- Are the conditions for choice of marriage partners different in the context of marriages between people who have been at war with each other? If so, why?
- What do you think happened after the end of this story?
- What are some Secwepemctsin words in this story? What do they mean and why are they important to this story?

STORY OF TSÔŁENÜ'ET'S SON⁸⁹

Sxwéýlecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),⁹⁰ "Story of the Tsôłenü'et's Son" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 669-670.

The Mammals made war on the Fishes, and killed them all except the wife of Tsôłenü'et,⁹¹ whom they took as a slave to their own country. She was pregnant⁹² at the time, and soon gave birth to a son. When he grew up, the other boys would call him bastard and little slave, and said that he was not one of them. He felt grieved at this, and complained to his mother, who informed him fully about his origin, and advised him to train himself that he might gain knowledge, and become the avenger of his father and his people.

Acting on this advice, the boy retired to the mountains, where he slept many days at a time, and dreamed much. At last he gained Thunder for his guardian, and acquired from him the magic power of making lightning. Then he told his mother to dig a hole in the lodge secretly, large enough to hide in, and to prevent its being discovered by sleeping and keeping her property on it.

One night the chief⁹³ said, "Let all the people sing their magic songs and imitate their guardians."⁹⁴ All the people crowded into the underground house, which was very large. One after another they danced, imitating the cries and actions of their guardians, and singing their songs. They had all finished except Coyote and the slave lad, and now their turn came.

Coyote asked the slave boy to dance first; but he answered, "No, I do

⁸⁹ Original footnote: See Teit, *Traditions of the Thompson River Indians*, p. 77; also known to the Utámqt.

⁹⁰ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

⁹¹ Original footnote: The name of a large species of trout called tsô'łła or tsô'łla by the Thompson Indians. I think it is *Salmo Clarkii*.

⁹² Original footnote: Some say she was two months in pregnancy.

⁹³ Original footnote: Some say the old men.

⁹⁴ Original footnote: This was a common practice among the Shuswap, Thompson, and Lillooet Indians.



not dance very well. I will wait and be the last.” Then Coyote danced and sang, boasting much, and causing much amusement to the people. He said, “Watch me call my guardians. You will see much blood coming from my mouth. I am a great warrior.” He called on the frame on which skins are dressed, and on salmon-eggs. No blood came, although Coyote danced furiously; and the people laughed aloud, saying, “You must indeed be a great warrior, for you vomit so much blood, and your guardians are so powerful.”

At last the lad's turn came, and he began to dance and sing. The people did not know that he had been training. They sneered at him; and Coyote said, “How can a Fish-boy have a great guardian!” The lad paid no attention, but sang louder and louder. The house became hot, and there was a noise like fire coming. The people began to feel alarmed; but Coyote put his hand on his mouth, and cried La'-la-la-la',” and the house cooled off again: Four times he cooled the place thus; but the lad kept on singing louder than ever, and at last he shouted, “Come, strike!” Then Thunder struck the house with his fire, and it began to burn. The lad went out, still dancing and shouting. The lightning struck the people, who tried to escape, and also set fire to the other houses. Thus all the people and their whole village were burned, and Tsôtenü'et's son had his revenge. While the fire was raging, his mother had hidden in the hole that she had dug. Now she came forth, and they went to the Fish country, where he jumped over the bones of his father and of the other people, and thus revived them.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is a proper response when you have been unjustly taken from your community?
- What is a proper response when you want to return to your home community after being away for a long time?

DISCUSSION QUESTIONS

- What do you think about the boy going to the mountains to train?
- Do you think that the Mammal people deserved the punishment that Tsôtenü'et's Son gave out in the end?
- Do you think the end of the story might have been different if the Mammal people had been kind to Tsôtenü'et's Son and his mother? What do you think might have happened?



WOLVERENE AND FISHER

Sxwé'lecken (or Sixw'ilexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),⁹⁵ "Wolverene and Fisher" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 673.

Wolverene and Fisher lived together in the same house. One day, when Fisher was hunting, he saw a woman pass along in the distance. That night, when he returned home, he told his companion, saying he intended to follow her. Wolverine said, "It will be useless for you to follow her, she lives too far away." On the following morning Fisher went to the place where he had seen the woman, and, finding her tracks, he followed them for several days, but did not overtake her. Since he had nothing to eat, he returned to his camp, which he reached in a very exhausted state, emaciated and weak.

Then Wolverine said he would search for the woman, and on the following morning he started out, carrying a woven buckskin bag⁹⁶ filled with food. After travelling a long distance, he reached a house in which a number of people lived. At nightfall he crawled up to the house, and discovered the woman lying in a corner by herself, for she was menstruating. She had taken off all her good clothes before menstruating, and had placed them under her pillow.⁹⁷ Then Wolverine assumed the form of a dog, entered the lodge, and ran away with the woman's moccasins. The people saw him, and cried out, "Oh! one of the dogs has taken our sister's shoes!" The people chased the dog, but he disappeared in the darkness.

Some time afterwards Wolverine returned, pulled the woman's leggings from underneath her pillow, and ran off with them also. The people cried, 'Oh! One of the dogs has taken our sister's leggings!' and they pursued him

⁹⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

⁹⁶ Original footnote: These bags were used by the Canoe Lake and North Thompson Shuswap. They were of buckskin thongs woven like a dip-net, the mesh varying in size. Some were made of twisted caribou and elk skin. See p. 490.

⁹⁷ Original footnote: The women of all the interior Salish tribes separated from the people when menstruating. They took off their good clothing, and put it on again when their period was over. In the interval they dressed in old clothes, which they afterwards threw away or put aside in a tree to be used again during their next period.



as before. Shortly afterward he ran away with her bag in which she kept her sinew and sewing-materials; and thus he took her skirt, then her robe, and at last the woman herself. The people chased him each time, but always lost him in the dark.

Then Wolverine resumed his original human form and told the woman that she must be his wife. He put all her belongings into his bag, and they travelled back to the home of Wolverine and Fisher, where the woman henceforth lived with the former, and bore many children to him.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is a proper response when a vulnerable person in the community is at risk?
- What is a proper response when someone has repeatedly stalked or harassed a person in community?
- What is a proper community response when someone from the community goes missing?

DISCUSSION QUESTIONS

- Why do you think the woman sleeping on her own?
- If the people knew the dog was Wolverine, would they have intervened further?
- Did the woman have had the agency or the ability to leave Wolverine and try to rejoin her community?
- What were the conditions/circumstances that made it possible for Wolverine to stalk and kidnap this woman?
- How could the people have responded so that this woman, and other women in the community, were protected or stayed safe?
- The text of the story says that Fisher followed the woman for several days but did not overtake her. And that he returned to his camp weak, exhausted, and starving. Why is that important to know in this story?



STORY OF SKUNK AND BEAVER⁹⁸

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),⁹⁹ "Story of Skunk and Beaver" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 677-678.

A great many¹⁰⁰ animals lived together in a large underground house. Among them were Elk, Deer, Grisly Bear, Wolverine, Hare, Lynx, and Coyote. Skunk lived with them, for he was married to one of their daughters. He was disliked, however, and Coyote and Lynx always made fun of him. One night the people proposed that they should play, and sing their medicine-songs. One after another they danced and called their guardian spirits. When Lynx finished, he sat down at the foot of the ladder. Then Coyote danced, and created great amusement. He called on wooden pins, a half-eaten carcass, and other foolish, worthless things as his guardians.

Now Skunk whispered to his wife to lie down flat, for he intended to sing presently. He was a quiet fellow, and had never sung at any of their events hitherto. The people thought him useless, lazy, and sulky. When all had finished, Skunk arose and said he would try to sing like the other people. Coyote made fun of him, calling him nasty names, and jeering at him. He answered, "I know very little, and am very weak in magic power. You may laugh at me if you like." Then he commenced to sing, "Pa'-po-po-po'," and the people jeered. When he called on the Stench as his guardian, Coyote said, "Oh! Our son-in-law has indeed a powerful guardian spirit. He is great in magic power." The stench of Skunk filled the place. Four times he called, and the people commenced to choke. They said, "The smell of Skunk's guardian spirit kills us," and they ran up the ladder as fast as they could. In their hurry they trod on Lynx's head; and others trampled him down and kicked him in the face and ribs, thus disfiguring him. It was a long time

⁹⁸ Original footnote: Compare parts of this story with Teit, Traditions of the Thompson River Indians, p. 37.

⁹⁹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁰⁰ Original footnote: Some say all.



before his bruises healed up; and he remained ugly, as we see him at the present day, while previously he had been very handsome.

Another night the people were again showing their magic powers; but Skunk would not dance. However, after being abused by the people, and mocked at by Coyote, he danced at last. He had asked Beaver to help him, who had dammed up the creek¹⁰¹ near by. Skunk sang, and called on the Water as his guardian, saying, “Now come, Water! Now help, Beaver!” Skunk and his wife went out, while the others laughed at him because the Water did not come. Then the water rushed in at the top of the underground house, and drowned all the people except Coyote, who swam round and round, with only his head above water. Skunk mocked him, and ejected his stench at him. He left him there, and with his wife joined Beaver, who was his friend, and with whom he afterwards lived.

¹⁰¹ Original footnote: Some say river.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when you are being abused by your own community, or by the community of your spouse?
- What is an appropriate response when a friend asks for help?
- What is an appropriate response when someone is being unjustly excluded from participation in community?

DISCUSSION QUESTIONS

- Why didn't Skunk didn't want to dance the second night?
- What do you think happened to the woman after being removed from her family and kin and moving to where Beaver lived?



STORY OF MUSKRAT

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁰² "Story of Muskrat" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 679-681.

A pubescent girl lived in her lodge near the village. She had nearly finished her training; and several young men, including Muskrat, had asked to marry her. Her parents had spoken to her regarding these, but she had refused them all. Muskrat made up his mind to kill her, and made a number of snowshoes and arrows of different types, in imitation of those used by the surrounding tribes, — the Shuswap, Thompson Indians, Lillooet, Cree, and Chilcotin. He made about twenty kinds of arrows and about ten kinds of snowshoes.

At last one night he killed the girl, shooting one of each of the different kinds of arrows into her body. Then, putting on the snowshoes one after another, he ran around the girl's lodge in all directions. On the following morning the people found the girl dead, with many arrows in her body, and snowshoe-tracks all around the place. They said, "It is impossible to tell who killed her. There must have been a war-party of many strangers here."

They took the girls' body into the underground house, and tried to revive her with the help of the shamans. When they had all failed, the people asked Muskrat, who was a young shaman, to try. He answered, "I will try; but I have not much chance, when all the old, experienced shamans have failed." Now he began to dance and sing in a different manner from the other shamans. He danced round the body, then towards the ladder and up some steps, and back again. Four times he did this. One time, when halting in his song, he said to himself in a low voice, "I am the one who killed the girl." Coyote, who was sitting nearest to him, overheard him, and whispered to the people, "He killed the girl." Some of them answered, "If he does not manage to bring her to life again, we will kill him." The fourth time, as he

¹⁰² Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



danced up the ladder, he cried out in a loud voice, “I killed the girl!” then bolted for the lake, and dived down the hole in the ice where the people drew their water.

The people pursued him. Coyote was close behind, and nearly caught him. He called to the people, “Hurry up! I am holding him.” Now they all stood around the hole with their spears, ready to stab him as soon as Coyote should pull him out. Coyote plucked some grass by the roots from the lake-bottom, and made a great ado, saying it was very hard to pull him up. At last, after telling the people to be ready, he slowly pulled his arms out of the water, and exposed in his hands some grass and mud. “Oh! he must have escaped,” he said, laughing.

The people were angry. They left Coyote. Some of them went aboard a bark canoe, and chased Muskrat all around the lake; and others tried to get a shot at him by running round on the ice. Although they chased him until dark, they could not even get within arrow-shot of him, for he was a very fine swimmer and diver. Finally they had to give up the pursuit, and they went home while he was laughing at them.

Now Beaver joined Muskrat. He said, “We look very much alike, and, as we are friends, we will sit here for a while and talk.” As they sat together, Beaver commenced to admire Muskrat’s tail, and wished that his were like it. At that time Muskrat had the tail that Beaver has now, while the latter had the tail we see on the muskrat at the present day. Beaver said, “I wonder how we should look if we changed tails!” This they did, and Beaver said, “You look fine with my tail. I will go into the water and try your tail, then afterwards you can try mine.” Beaver dived and swam about, striking his tail on the water, and making a loud noise. He was pleased because he could swim so much better, and gradually swam farther away from the store.

Now Muskrat became suspicious, and swam out after him; but Beaver caused a strong wind and high waves to come; so Muskrat, finding that he made little headway, and that he could not swim as well as before, gave up the chase. When he came ashore, he was transformed¹⁰³ into the muskrat that we see at the present day, and it was decreed that he should have to live along the shore, and never swim out into the deep water of the large lakes, as he had been wont to do [once typically did].

¹⁰³ Original footnote: The Indians are doubtful as to who transformed him. Some say the people whom he had wronged; others say Old-One or Coyote.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are individual, family, and community responses to violence or harm against people in vulnerable positions?
- What is an appropriate response when you learn that someone is harming another community member?
- What is the community response when someone is perpetrating violence against people in vulnerable positions, such as gender-based violence?

DISCUSSION QUESTIONS

- What is Beaver's obligation to help the young girl's community, after Muskrat's deception has been revealed?
- Why do you think Beaver removed Muskrat's tail? Would this force Muskrat to face the young girl's community?
- Do you think Beaver had an increased obligation to help because he had special skills that made him able to help?
- How did Beaver know that he could capture Muskrat's tail with friendship?
- What is the role and importance of individual agency when responding to problems in community?



STORY OF THE LYNX¹⁰⁴

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁰⁵ "Story of the Lynx" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 684.

Once there lived a good-looking girl who had many suitors, none of whom she cared for; and, as they bothered her a great deal, she made up her mind to leave home and go to the country where her grandmother lived. The old woman knew that she was coming, and, thinking the young men of the place would also want to marry her, she made her arrangements accordingly.¹⁰⁶...

The people who had deserted them were starving. One day they sent Crow to see how Lynx was faring. Lynx's wife gave Crow a piece of fat to take home. This he rolled up in black moss, and at night fed his children with it. The people rushed in while the children were eating, and asked why they made so much noise. Crow answered, "I am feeding them with roasted black moss (Hêmê'lk)." They did not believe that children would become so excited over some black moss: therefore they watched, and, when he fed them again, they rushed in and caught them swallowing fat. Now they were angry at Crow for not telling them that Lynx had plenty of food. They moved back to the village, and found that Lynx had filled with fat the houses of those who had not trodden on him. Because Coyote had kicked him, he filled his house with excrement. Now Coyote went around trying to claim the houses which contained fat; but the rightful owners drove him away, and at last threw him into his own house among the excrements.¹⁰⁷

¹⁰⁴ Original footnote: See Hill, Tout, Story of Elk-Maiden. Boas, *Indianische Sagen*, etc., p. 9.

¹⁰⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁰⁶ Original footnote: The rest of this story is the same as that told in Teit, "Traditions of the Thompson River Indians," p. 37, with the following exceptions and additions. Her grandmother made a fog, that the animals (sic) who raced might not find the girl. – She hid the girl in a blanket, which she hung up on the post of her underground house. – Lynx made a hole immediately above it, and at night urinated down along the post, thus making the girl pregnant. – The bow that the Lynx offered to the boy had a strong of "kwoes"-bark, and the arrow-heads were fastened on the shafts with the same material. The end of the story as told by the Shuswap is given above.

¹⁰⁷ Original footnote: See Farrand, *Traditions of the Chilcotin Indians*, p. 10 of this volume.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is the proper response of community members when there are people starving? What are the limits of the obligations to respond?

DISCUSSION QUESTIONS

- Are the people who leave at the beginning the same who return to the community when they discover Lynx has animal fat?
- Does it matter in the story that children are the ones receiving the food first? What order should food be given in situations of starvation?
- How can maintaining good relationships protect individuals from harm during times of starvation?

STORY OF BALD-HEADED EAGLE¹⁰⁸

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁰⁹ "Story of Bald-Headed Eagle" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 684-685.

Bald-Headed Eagle lived in an underground house with other birds; while near by lived Golden-Eagle and the Hawks, in another house. When Bald-Head was fishing one day, he saw a woman approach his weir to cross over the stream. He met her in the middle of the weir, and would not let her cross. She tried, to coax him, and called him many endearing names; but he never moved or spoke. She called him grandfather, father, uncle, brother-in-law, brother, but without avail. At last she called him husband; and at once he said, "Why did you not say that before?" He now claimed her as his wife, and took her home.¹¹⁰...

The woman left Golden-Eagle and lived by herself for a time. Then the head of Bald-Headed Eagle came to life, went to her hut, and married her. When he had connection with her, the head entered her privates. When he had finished and came out again, he asked to wipe him. After a time she had two children, who were heads also. Then she said she would visit her people. Wherever she went, the three heads followed her. When she came close to the houses of the people, some of them recognized her, and called out, "Our sister approaches with two little white dogs and a larger one following her." When she arrived, the people asked her what these things

¹⁰⁸ Original footnote: See Teit, Traditions of the Thompson River Indians, p. 67; also known to the Utāmq̓t and Lillooet.

¹⁰⁹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹¹⁰ Original footnote: From here on the story is the same as the Thompson Indian tale "Battle of the Birds," in Teit, Traditions, etc., pp. 67 and 68, except that the collar armor of Bald-Headed Eagle is said to consist of two woven rabbit-skin blankets and two bark-twined nets. The story then continues.



were that always rolled after her wherever she went. She answered, "These are my husband and children."

The people did not like them: so they made up their minds to kill them. They engaged three men,¹¹¹ named Spittle, Matter, and Cough, who were impervious to heat and had bodies that could not be hurt, to make a sweat-house. They covered the sweat-house above, below, and around with mysterious power, so that nothing could escape. They heated stones to a red heat, and induced Bald-Headed Eagle and his two children to have a sweat-bath. Then they poured much water on the stones, and the hot steam made the two smaller heads burst. Bald-Headed Eagle was severely scalded, and tried to escape, but was unable to do so. Then he attacked Spittle, Matter and Cough with his beak, but could not hurt them. They continued to pour water on the stones, until at last Bald-Headed Eagle exploded. Then the people threw the dead heads away, saying, "Henceforth you shall be a common bald-headed eagle. You shall no longer have mysterious power, and never again shall you be able to molest women."

¹¹¹ Original footnote: Some say there was a fourth man, but none of the Indians was sure who he was. Some said that probably he was Whistle.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are some appropriate steps to building a marital relationship?
- What are appropriate responses when you know someone is abusing their spouse? What are the limits, if any, to returning to your own community after being away?
- What is the community response to a danger or threat to women in the community?
- What are the specific ways that a married person will be recognized as a member of the community?

DISCUSSION QUESTIONS

- Do you think the woman had any choice in marrying Bald-Headed Eagle?
- Can you think of a different way that the community could have handled their anger with the Bald-Headed Eagle?
- How do you think the community knew what was happening?



THE WOMEN WHO SOUGHT FOR A HUSBAND; OR, THE WOMEN WHO MARRIED THE CANNIBAL (STAR) AND WOLVERENE¹¹²

Sxwéylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹¹³ "The Women who sought for a Husband; or, The Women who married the Cannibal (Star) and Wolverine" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 687-689.

Two young women¹¹⁴ could not get along with the people, so they said they would leave, and live by themselves. They agreed to train themselves, and then to wander over the country in search of husbands. For four moons they trained themselves, and then tried their magic powers. They reached an open plain, the elder one sang, and a tree with branches only at the top grew out of the prairie. When it had grown very high, she stopped singing, and the tree stopped growing. Again she sang, and the tree became shorter and shorter, until at last it disappeared. Again the elder sang and the prairie split open, leaving a deep chasm. She pulled a hair out of her head, threw it across the chasm, and it became a bridge, on which they crossed. Again she sang, and the chasm gradually closed, leaving no mark.

The women went on, and came to a large valley. Then the younger one sang, and the valley was filled with water, which rose up to the tops of the hills on each side. She took a hair from her head and threw it on the

¹¹² Original footnote: See Farrand, Traditions of the Chilcotin Indians, p. 31 of this volume.

¹¹³ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹¹⁴ Original footnote: Some say sisters.



water, thus making a bridge, on which they crossed. Again she sang, and the water receded until the valley was dry again. Once more the younger one sang.¹¹⁵ “Now,” said they, “we are wise in magic. If danger assails us, we are safe.”

Then they started to seek for a husband, and camped the first night at a fine open spot near a stream. Here they lay down. Before going to sleep, they looked at the stars overhead, and wished that one of the large bright ones would become their husband. That night the Star came down and lay between them.¹¹⁶ When they awoke in the morning, they saw an old man with sore eyes in their bed. They were surprised and disgusted as well as afraid. As the man appeared to be asleep, they arose quietly and ran away into the forest, where they thought he would not find them.

They came to a trail, which they followed until a large gray log barred the way. “That is a strange-looking log,” they said. “It is too thick to climb over.”¹¹⁷ Let us go around it.” But the log grew lengthwise, the end always keeping ahead of them. They turned back, and tried to go around the other end, but with the same result. Then the elder woman kicked it, saying, “What kind of a magic log is this!” At once the log changed into a man, who said, “You wish for a husband. I will take you for my wives.” They answered, “Very well,” and went with him to his house. He hunted every day, and brought home different kinds of meat, which he rolled up in grass and placed on the shelves of poles which were all around his house. The first day he roasted some and offered it to the women, who refused it because they did not know what kind of meat it was. They never saw him eat anything, and, although he lay between them at night, he never showed any desire to have connection with them. They said, “Our husband is a queer man.”

One night the younger woman watched, and saw him get up, go to the shelves, and, after eating heartily of the meat there, return to his place in the bed, and fall asleep. Next night she watched again, and saw him get up, sharpen his knife, and uncover the feet of the other woman. He cut a deep gash the whole length of the sole of one foot, which he eagerly examined, saying, “She is hardly fit to eat yet. I will wait until she is fatter.”

¹¹⁵ Original footnote: I could not get anyone to inform me what her last feat was.

¹¹⁶ Original footnote: Some say this star was the cannibal with whom they afterwards lived.

¹¹⁷ Original footnote: Some say they said, “It looks dangerous to step over.”



Then he spat on the palm of his hand, and, rubbing the saliva on the cut, it healed up at once, leaving no mark.

The following morning the younger woman said to her companion, “Did you not feel our husband cutting your foot last night?” She said, “No!” So the younger one told her all about it. Then they looked on the shelves, and found much human flesh and also rib and breast pieces cut off in the same manner as Indians cut up deer. Now they knew that their husband was a cannibal, and that he intended to eat them. So, after throwing all the flesh and bones into the fire, they left the place. When the cannibal came home and found his wives gone, he went in pursuit and soon overtook them.

When they saw he was near, the younger woman sang, and a lake formed before them. She threw a hair of her head on the water, and it stretched straight across, forming a bridge, on which they crossed. The cannibal cried out, “Why do you leave me?” They answered, “You can follow.” He walked out on the surface of the lake a little distance, and then sank.¹¹⁸ They thought that he was drowned, but soon they saw him following again. Then the elder sister sang, and a tall tree grew out of the earth underneath them, in the top branches of which they sat.¹¹⁹ The cannibal passed by, looking for them, and disappeared. Then they caused the tree to disappear again, and continued their journey. Again they saw the cannibal close behind them. Then the elder one sang, and the earth split in front of them, forming a deep chasm. She took a hair from her head, threw it across, and on this they went over as if on a log. She told it to break when the cannibal should step on it. The man cried, “Why do you leave me?” and they answered, “Follow us; we will wait for you.” The cannibal hesitated to cross; but the women assured him that the log was quite strong. When he was in the middle of the chasm, it broke, and he fell down to the bottom. They could hear his voice from the distant depths calling, “Take me out!” The women sang, and the chasm gradually closed, crushing and burying him.

Now they went on leisurely, for there was no need of further fear of the cannibal. Soon they reached a lake, took off their clothes, and had a bath. A beaver was swimming around, and struck his tail on the water. Then they wished they had a husband to kill the beaver, that they might eat its

¹¹⁸ Original footnote: Some say the younger woman told the bridge to break, or turn over, and throw him into the water.

¹¹⁹ Original footnote: Some say it grew up, then they climbed it and hid.



tail. Wolverine was on the edge of the lake, looking for a beaver that he had wounded, and heard their wish. Noiselessly he went up behind them, and touched each of them on her backside with his toe. They turned around, and were surprised to see a man there. He said, 'I am the man you wished for a husband.' They agreed to be his wives. They built a house at that place; and Wolverine hunted beaver, and procured plenty of meat and tails for his wives to eat. They made many beaver robes. They lived there two years, and each of the women bore a child. Then Wolverine by magic compressed a great amount of meat into three bags made of beaver-cub skins. He and his wives carried these along. They were going to the houses of the people; and, on arriving there, Wolverine shook out the contents of the sacks, and the meat filled two underground houses. Thenceforth they lived with the people. Wolverine was a short man, but very strong and a great hunter.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are some appropriate steps for finding a spouse?
- What are some responses when learning a family member is harming another family member?
- What are appropriate steps to take when returning to a community after being away for a significant amount of time?

DISCUSSION QUESTIONS

- When someone leaves their community for a long time are there any conditions for returning?
- What role do family and community play in identifying and managing potential risks to others?
- How do communities ensure the well-being of *k'wséltkten* when they leave the community?

SPIDER AND OTTER

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹²⁰ "Spider and Otter" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 689-690.

A number of people lived near a large lake. Among them was a young woman who had refused all suitors. One day, when she was drawing water at the lake, Otter seized her, and, putting her in his bark canoe, paddled away to the other end of the lake. Here he hid his canoe in the bushes, and, after travelling with the girl a long distance, they reached the shores of a very large lake. Here he made the girl jump on his back, and, telling her to shut her eyes, he dived into the water, and soon reached his house.¹²¹

The people searched for the girl in vain, and at last came to the conclusion that she had been drowned. Now, Spider, who lived in the sky, had seen all that had happened, and made up his mind he would have the woman. One day he came down from the sky on a rope, carrying his tomahawk with him, and, going to Otter's hole, he sat down to wait for him. Otter had a hole in the ice through which he was wont to come out when he went hunting and fishing. When he appeared, Spider killed him. Then he called the woman and took her up to the sky with him.

Here she staid, and bore Spider two children. When the children were old enough, Spider said to his wife, "We will go to the earth and visit your people. They will be glad to see you and your children. We will make them happy." Spider went hunting, and killed many deer, the flesh, fat, and skins of which he made to assume such small proportions that he could put them all in the thumb of his mitten, which he attached to the end of his rope, and lowered down to the earth. Then he lowered down his children and his wife, and finally he descended himself.

¹²⁰ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹²¹ Original footnote: Some say his house was at the bottom of the lake, or, at least, that he had to go along the bottom of the lake to reach it.



When they reached the houses of the people, Spider shook his mitten; and the meat, falling out of the thumb, assumed its original proportions, and filled an entire underground house. The people were very glad to see the woman who they thought had been drowned, and to hear her story. Spider gave a feast to the people with the meat he had brought, and gave them all the fat and skins as presents. The woman and her children continued to live with the people, but some say Spider after having staid on earth some time, returned to the sky.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is a proper response to the problem of violence against women in the community?
- What is a proper response when a person who has been unjustly removed from their community returns?
- What is a proper response by community when a person has harmed his partner or other family members, and is trying to cover up the harm through deceit?

DISCUSSION QUESTIONS

- How might the community have prevented the kidnapping to begin with? What safeguards could have been in place?
- Did the woman have a choice to go up with Spider or to go home? If she was given only one option does that change the story?



STORY OF THE SALMON-BOY¹²²

Sxwé'lecken (or Sixw'ilexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹²³ "Story of the Salmon-Boy" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 690-691.

A lad who lived with his grandparents went playing one day, and did not return. The people searched for him, and found the place where he had fallen into the river. His bow and arrows were lying on the bank. The boy had been amusing himself by tobogganing on a piece of bark. He had slid over a bluff, alighting on a piece of ice¹²⁴ which was floating down the river. Thus he floated down to the mouth of Fraser River, and arrived in the land of the salmon, where there was a great fish-dam.

After staying there some time, the boy told the Salmon chief that he wanted to return home. The chief said, "Yes. When the Salmon go to your country, they shall take you with them." Soon the Sockeye Salmon started to run, and the boy wished to accompany them; but the chief said, "No, you must not go with them. You would be hurt. They travel through many dangerous places." At last the King Salmon started, and the chief gave the boy into their charge, and he swam with the them after being transformed into a salmon.

Now, the boy's grandfather cried all the time because he believed his grandson to be dead. When the salmon began to run, the grandfather made a weir across the small stream near where he lived and there he fished by bag-netting. The boy came swimming up, and was caught by his grandfather, who was about to split and dry him, like other fish, when he noticed that the salmon's eyes were like those of a human being. Then he [the grandfather] rolled him [the salmon boy] up in a blanket, and hung him in a tree. On the following day he unwrapped him and found that the whole head had become

¹²² Original footnote: See Farrand, Traditions of the Chilcotin Indians, p. 24 of this volume.

¹²³ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹²⁴ Original footnote: Some say it was a driftwood log.



human. On the following day the fish had assumed human form down to the waist. On the third day he was man down to the knees; and on the fourth day, when the blanket was opened, the boy jumped out, saying, "It is I, grandfather! Tell no one of my return. Catch and cure all the fish you can, while I go and hunt. In two months' time I shall return, and we shall give a feast to the people."

Then the old man was glad, and, instead of weeping and singing dirges, he now whistled all day long. The people said, "Something must have happened to make the old man so happy. He has changed from sadness to gayness very quickly." In two months' time the fishing-season was over, and the old man had cured many salmon and their roe, and had made much oil. Then the lad returned from hunting, carrying one of his mittens full of the meat, fat, and skins of deer; while the other contained meat, fat, and skins of marmots. He emptied out the contents of his mittens, and they assumed the form of a large pile of meat, fat, and skins. Then he and his grandfather invited all the people who were surprised to see the boy, and feasted them many days.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate way to reunite family and community members?
- How does one respond in a good way to a new and unexpected arrival in one's community?
- How does one respond when a member of community or relative, who has unexpectedly or traumatically left, unexpectedly returns to your community?
- What are the appropriate responses to lost or returning children?
- What is an appropriate way to safely re-integrate an individual back into community?

DISCUSSION QUESTIONS

- Why did the grandfather leave the boy in the tree?
- What is the significance of four days?
- What does this story teach us about salmon and people's relationships with salmon?
- What are the obligations for hosts to care for visitors?
- What is the role of observation and knowledge in decision making in this story? Think about the parallels and embodied knowledge in people's roles. For example, the grandfather intimately knew his grandson and the Salmon chief intimately knew his people.
- How do you think getting lost impacted the boy?
- What do you think the boy learned as a result of his time in the land of the salmon?
- Was the boy adopted into the salmon community?



GRISLY BEAR'S GRANDCHILDREN¹²⁵

Sxwé'ylecken (or Sixw'ilexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹²⁶ "Grisly Bear's Grandchildren (Fraser River and North Thompson Divisions)" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 691-696.

An old Grisly Bear woman lived alone in an uninhabited part of the country. She felt very lonely, and desired much to have a daughter. One day she gathered some gum, which she melted; and when it was cool, she fashioned it into the form of a girl. At her command¹²⁷ the figure became alive, and she ordered it to train itself as pubescent girls do, adding, "When you bathe in the stream, do not afterwards dry yourself in the sun. When it is a hot day, always keep in a shady place." The girl did this for awhile; but at last she said to herself, "Why does my mother instruct me thus? I am always cold and miserable." So, one hot day after bathing, she picked out a large flat rock near the stream, and lay down on it to sun herself for a little while. Presently she commenced to melt, stuck to the rock, and was unable to rise. Thus she melted, until there remained only a large pitchy spot on the stone. Her mother discovered her remains, and said, "Alas! my daughter is dead."

Then she fashioned a stone hammer into the form of a girl, and, after endowing it with life, she gave it instructions. She said, "When you bathe, go where the water is shallow. Don't jump off a rock where the water is deep, nor try to swim." After a time the girl wondered at these instructions, and

¹²⁵ Original footnote: See Teit, *Traditions of the Thompson River Indians*, pp. 21, 22, 77.

Footnote added by ILRU researchers: A version of this story appears in the 1974 Kuipers Reports – The Shuswap Language. It is recorded as "The trout-children and their grandparents" (the particular version is attributed to Charles Craney, Deadman's Creek), appearing in Secwépemctsin at 116-123, and then in English from 123-130. This story also appears as "Trout Children", originally recorded with Charley Draney by Randy Bouchard and Dorothy Kennedy and published in *Shuswap Stories* (1979).

¹²⁶ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹²⁷ Original footnote: Some say she put life into it by blowing on it, others say by jumping over it.



thought she would try to swim. Jumping off a rock into deep water, she sank to the bottom and was drowned.

Again Grisly Bear made a daughter, this time from clay, and gave her the same instructions as the second one, adding, “When you bathe, don't scratch your body.” Before long the girl also disobeyed her mother's commands, for she thought, “Why should I not scratch myself when there is so much dirt on my skin, and it itches so?” When bathing in the stream one morning, she scratched herself until she was entirely dissolved in the water.

At last Grisly Bear made a daughter of wood; and this one was a success, for she could go in the sun without melting, in the water without sinking, and could scratch herself in the water without dissolving. The girl grew into a woman, and lived with her mother.

One morning she went down to the lake to fetch water and at the same time to have a bath. Just then a speckled brook-trout (stē'kesuʔ) jumped out of the water; and she remarked, “Oh, how pretty he is! I wish I had him for my husband!” Soon afterwards she felt a touch on her back, and, looking round, saw a handsome man, who said, “I am the person you wished for a husband. Now, I take you at your word. You must be my wife.” She was nothing loath, so he put her on his back, and bade her not to open her eyes until he told her to. Then he dived with her into the lake, but soon she opened her eyes, and they came up again. Again he dived with her; but they had not gone much farther when she opened her eyes as before. The fourth time he tried, she kept her eyes shut throughout, and they reached the land of the fishes, which was at the bottom of the lake, on the opposite side from Grisly Bear's house. Here Trout-Man told the woman to wait until he went ahead and warned the people. He said, “I will send your sisters-in-law to meet you.”

Soon she saw the latter approach. One of them was the tsoqtcī'tcīn¹²⁸ fish, and her mouth was covered with blood. The other was the Frog, who came along making jumps. The girl did not like their appearance, but accompanied them to the large house where all the people were assembled. Here in a wide circle sat all the young men, and she was asked to sit down beside the one who was her husband. This she found almost impossible to do, for they all looked alike, and all were equally handsome. She selected

¹²⁸ Original footnote: A small fish having a red mouth.



one and sat down beside him; but the people smiled, and said, "That is not your husband." Again she tried, with like result. On the fourth attempt she succeeded. She remained many years, and had two children, — a boy and a girl.

When they grew up, the children of Fish and Frog laughed at them because they had no grandmother. At last the children asked their mother about their grandparents, and she answered, "Yes, you have a grandmother; but she lives in another country, very different from this, where there are hills, grass, and trees. There she digs roots." They desired to see her: so their mother directed them how to go, and where to find their grandmother's house.

The children travelled up through the water the same way their mother had come down, and soon reached their destination. Finding no one in the house, and many roots baking in the ashes, they pulled them out and ate them. At last they saw Grisly Bear approaching the house. They became afraid, and ran away. When they reached home, their mother was angry with them, saying, "Your grandmother will have seen your tracks, and have known who you are. You must not disappoint her. She is anxious to see you, and will treat you kindly." Again they went, but with the same result. The fourth time their mother had great difficulty in persuading them to go, for she was anxious that they should live on the earth, but at last they went.

Meanwhile Grisly Bear had come to know all about it, and had arranged accordingly. She went out and set up a tall stick on the hillside, hung her basket and robe on it, and told it to dig roots. Then she prepared a decoction of herbs in a basket. When the children were in the house, they believed that the digging-stick was the old Grisly Bear, and thought that she was digging roots on the hillside. Therefore they played unconcernedly. Meanwhile Grisly Bear went down unobserved, took her decoction, and suddenly she stepped in and threw the contents of the basket at the children. The fluid covered the boy, who at once assumed human form; but only a few drops of the medicine fell on the girl, and she became transformed into a small female dog.

Now Grisly Bear made a bow and arrows for the boy, who was named



Chickadee.¹²⁹ He amused himself by shooting in the woods. When she gave him the arrows, she said to him, 'If ever the dog runs up and takes away or eats what you shoot, do not be angry with her or thrash her.' The dog became the lad's constant companion, and often it took away or ate up the birds and rabbits he shot.

One day he shot a very fine chicken-hawk, and became very angry when he saw the dog run ahead and eat it. He took a stick and thrashed the dog severely. The dog howled, and at last said, "O elder brother! why treat me thus?" Now he recognized that the dog was his younger sister, and became very sorry for what he had done. He said, "If I had known who you were, I should never have thrashed you." The dog¹³⁰ ran away, and the lad followed it, crying, "O my younger sister!¹³¹ Oh that I hurt my sister!" He followed it until at last it disappeared in the mountains. Weeping, he returned to his grandmother, and upbraided her for not telling him that the dog was his sister.

Soon after this, Grisly Bear told the lad that if any of his arrows should happen to stick in trees beyond his reach, he must not climb for them. Thus he lost many arrows. One day he shot his best arrow at a bird that was sitting in a tree. He missed it, and the arrow stuck in a branch beyond his reach. He forgot his grandmother's warning and climbed to get it; but, just as he was about to grasp it, the tree suddenly grew, and took the arrow far beyond his reach. Thus he kept on climbing, until, on looking down, he saw that the earth was far below him, and became afraid to descend. He climbed from branch to branch, and the tree continued to grow until it pierced the sky, and its lower branches were just level with it. Only then was the lad able to reach his arrow. He pulled it out, and travelled about aimlessly.

The sky country was a great plain covered lightly with snow, and he saw no signs of habitations. He said to himself, "There is no use wandering thus. I will set my arrow on end, and, whichever way it falls, in that direction will I go." He did so, and travelled the way the arrow had indicated, and at last came to some chips, which showed that people had been felling a tree.

¹²⁹ Original footnote: His name was Tseki'ksa, the same as the Thompson Tceski'kik, a variety of chickadee. Although having a human form, he also had chickadee characteristics, and was transformed to a proper chickadee afterwards.

¹³⁰ Original footnote: Some say the sister became transformed into a chickadee at this time.

¹³¹ Original footnote: This is the reason why the chickadee at present day goes around crying, and calls for his younger sister.



Farther on he came to fresher chips, and at last to a lodge with a mat door.

He entered, and saw a very old man,¹³² unable to walk. Before he could speak, the old man addressed him, saying, “Welcome, my grandson! I know all about you. If you do as I tell you, you will become wise and great. I was once your grandmother's husband,¹³³ and lived on earth. The people all live in an underground house close by, where they get water from the lake through an ice-hole. Every day one of them visits me and gives me food, water, and fuel. Among them lives a girl, the daughter of the chief, who is very good and versed in magic. All the young men are anxious to marry her, but she has refused them all. Her father also considers her very valuable. If you train yourself as I direct, you will get her for your wife.” Then the old man told the lad to get inside of him, and thenceforth he lived inside the old man in the daytime, but at night he came out, and the latter instructed him in all kinds of wisdom and mystery. Each morning when the day dawned, the lad washed himself at the hole where the people drew water, and immediately afterwards the lad returned and entered the old man, who told him that, besides the knowledge that he himself could give him, he would receive much wisdom and power from the water, ice, day-dawn, and fir-branch.

Now the people noticed, when they went for water in the morning, many frozen drops around the edge of the ice-hole. They said, “No one bathes there, nor leaves the house at night. It must be the old man.” Others said, “No, it cannot be, for it is impossible for him to walk.” When the lad had trained there for some time, the old man asked him if he had obtained wisdom, and the lad answered, “I know a little.” The old man told him to persevere. After some time the old man asked the same question again, and the lad answered that he now knew everything. The old man said, “It is well. Soon the chief will hold a shooting-match, and you will win his daughter.”

One day the chief said to his people, “The young men are anxious to have my daughter. She shall marry some one. Every man shall have a fair chance to win her. Nłtsa'iya¹³⁴ shall sit on the top of the ladder, and any one that can hit him with an arrow shall get the girl.” Hitherto no one had

¹³² Original footnote: Some say his name was Spetlamü'mux or Spetlamü'lâx, which is the same as stewitü'mux, meaning “weed” or “plant”.

¹³³ Original footnote: Some say grandmother's father.

¹³⁴ Original footnote: A small variety of owl.



ever been able to hit this bird, for with his magic he always turned the arrows aside.¹³⁵

Now all the men shot in the presence of the chief; but none of their arrows hit. Coyote tried four shots, but, greatly to his disgust, missed each time. He was very anxious to win the prize.

The chief now said, "Every one has tried except the old man. Bring him here." Coyote laughed, saying, "When even I have missed, how can an old blind man, not able to stand, hit the mark?" However, they carried the old man to the place, and supported him when he got ready to shoot. He said, "How can I shoot when I cannot see?" But the chief insisted that he should try. The old man then turned his head aside, as if taking aim, drew his bow, and the arrow sped straight to the heart of Nłtsa'iya, who fell down dead. The people were all disgusted; but the chief made his daughter take her blanket and go live with the old man.

When night came, the lad came out of the old man, and lay down beside the girl, who was very much pleased. One night some people heard him speaking to his wife, and said, "That is not the old man's voice." They also remarked that the girl was wonderfully contented. One day they went to the old man's lodge, thinking to annoy and shame his wife. They said, "All the people go hunting to-day: the old man must go too." The girl said, "All right!" and, rolling him up in a blanket, she carried him along. When the party arrived at the place where they were to separate, the old man said that he had no arrows. The others laughed, and each gave him an arrow. Some gave him good ones, others gave him poor ones, and Coyote gave him one of bark feathered with leaves. When the hunters were out of sight, the lad came out of the old man's body, took the arrows, ran ahead, and gathered the deer all into one place, where he killed them, leaving the arrows in their bodies. Then he returned, and re-entered the old man. The hunters came home in the evening without having seen any deer.

The old man said, "You could not see any deer because I killed them all. If you go to the place where I was, you will find as many dead deer as I had arrows. Each carcass shall belong to the owner of the arrow that is in it." The people went, and found the deer as the old man had told them.

¹³⁵ Original footnote: For this reason the Shuswap used always to blow on their arrow before shooting an owl, particularly one of this species. If they did not do this, they would certainly miss.



Those who had given good arrows to the old man found nice fat bucks; those who had given him arrows not quite so good, found does; those who had given him poor arrows found yearlings; and Coyote found only a small fawn. Coyote tried to claim some of the arrows in the large carcasses as his; but the owners beat him off and made him take his own. Now the people became curious, and questioned the girl, who explained it all. So they killed the old man, and cut him up; but they had to cut him in very small pieces before they succeeded in separating the lad from his body. The young man lived for a long time with his wife in the upper world, and afterwards was transformed into a bird, the chickadee. He was a great deer-hunter.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- How does one create or identify conditions of safety for new members of community?
- How does one instruct new members about the kinds of risks they may face?
- What are the appropriate responses when you don't know your own lineage and want to learn more about it?
- What are appropriate individual, family, and community responses when a new relative is created through marriage, particularly when the person marrying in comes from a place very different from your own community?

DISCUSSION QUESTIONS

- Why didn't the girls listen to their mother? Do you think they understood what would happen to them if they didn't listen?
- What agency do the women in the story have about with respect to their marriages or when they are being pursued?
- How did the Grisly bear know her grandchildren were coming?
- Why did the boy thrash the dog? Why would it have made a difference if he had known the dog was his sister?
- What are some Secwepemctsin words in this story? What do they mean and why are they important to this story?
- How did the grandfather recognize his grandson?

STORY OF OWL¹³⁶

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹³⁷ "Story of Owl" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 698-699.

Owl was a man possessed of mysterious powers, and a noted hunter. He lived by himself. A long distance away from Owl's house lived a number of people, among whom were a woman and her son, a small boy. As the latter was always crying about nothing, and thus annoying all the people, his mother threatened to cast him out, saying she would ask Owl to come and put him in his basket.

One night the boy was crying as usual, and his mother became angry, and threw him into a dark corner of the house, saying that Owl would come and take him. After a time the people noticed that the boy had ceased crying, and thought he had fallen asleep. The mother went to look for him, but could not find him. Then the people took torches and searched for him, but in vain. He was not to be found. Owl had carried him away in his basket, the bottom of which was set with many awls, which were stuck in points up.

Owl travelled a long ways with the boy, and commenced to train him. Every day he washed him in streams, and rubbed his body with fir-branches, so that the boy grew very fast and became wise. Owl gave him a bow and arrows, and taught him to shoot mice, the skins of which he stretched and dressed, leaving them in their drying-frames when they changed their camp on the following morning.

At their next camp he made him shoot chipmunks and squirrels, the skins of which he also dressed and left in their frames. At the third camp he made him kill rabbits, the skins of which he treated in the same way. At their

¹³⁶ Original footnote: See Teit, *Traditions of the Thompson River Indians*, p. 63; Farrand, *Traditions of the Chilcotin Indians*, p. 36 of this volume.

¹³⁷ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

fourth camp the boy was able to shoot fawns and other small deer; and thus at each succeeding camp he shot larger game, — does and buck-deer, then elk and caribou, then bear. At last they reached a very distant place, where Owl made a house; and there they lived together. The boy had grown to be a man and an expert hunter, killing many deer and other game, which Owl always carried home.

Now, the lad's parents thought Owl had taken him, and made up their minds to search for their lost son. Soon they found his trail, and came to the camp where he had shot the mice. They saw all the mice-skins in frames, and said, "Undoubtedly our son made them." Thus they followed from one camp to another until they at last reached the place where the youth lived with Owl. Thinking they might be discovered, they returned, and camped halfway between Owl's house and the camp where their son had become able to shoot bears.

Both Owl and the lad knew by their mysterious power that these people had arrived; and at night the lad stole away and visited them, making himself known to them, and supplying them with some fresh meat. Owl knew what had happened, and asked the lad why he acted as he had done, and why he had given away his [Owl's] meat. The lad answered, "I gave nothing, grandfather. If you look at your meat, you will find just the same quantity as before." The following night, after dark, the lad visited his parents again, and told them he would flee with them on the morrow. Early in the morning the lad went hunting with Owl, killed a buck-deer, which he gutted, and made a packing-line of the entrails. He told the entrails to break every little while when Owl used them for packing.¹³⁸ Then he called Owl by cries,¹³⁹ and pointed out to him the place where the deer lay, and told him that there was a new packing-strap fastened to it by which he could carry it home. He also told Owl that he intended to hunt for some time longer, as the day was yet young. As soon as he was out of Owl's sight, he hurried back to the house, from which he took enough dried meat to last several days. Then he set fire to the house, joined his parents, and together they fled.

¹³⁸ Original footnote: For a similar incident of tump-line made of guts, see the story of Nli'kisentem (Teit, *Traditions of the Thompson River Indians*, p. 26).

¹³⁹ Original footnote: For cries or calls used by hunters, see Vol I of this series, p. 287.



Now, Owl had much trouble in carrying the buck home, for the line always broke, and he had to stop to mend it. He became angry, and said, "Why is this?" As he came near his house, he saw that it was on fire, and the flames of the burning fat and meat were blazing high up into the air. He said, "Why is this? What has my grandchild done?" When he arrived, everything was burned; only a few charred deer's bones remained.

He followed the tracks of the lad, and soon began to catch up with the fugitives. The lad's parents were afraid when they saw Owl drawing near; but their son re-assured them, saying, "Be not afraid! I have received much magic power from Owl. Now the pupil is greater than his teacher, for I know more magic than he does." When Owl came near, the lad turned round and transformed him, saying, "Henceforth you shall be only an ordinary owl, and no more a being of magic power. You shall only be a little wiser than others, and able to give warning when people are about to die."¹⁴⁰

¹⁴⁰ Original footnote: That the owl gives warning of death, is a belief held by all the interior Salish tribes, who also frighten their children to quietness by saying, "The owl will come and take you if you cry."



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when a child has been taken from the community?
- What is an appropriate response when a child or other newcomer has joined your community, but does not have the requisite skills to survive in that context?
- What is an appropriate response when a newcomer wants to return home? How about when a child wants to return home?

DISCUSSION QUESTIONS

- Do you think the parents call for Owl when they threatened Owl would take the boy away from crying?
- Could the boy have returned without transforming the Owl and destroying his home? Was it deserved?
- Does Owl have custody of the boy? is the boy a citizen of Owl's community?
- What is the significance of Owl's transformation at the end of the story? Why did that happen?

STORY OF MOON AND HIS WIVES¹⁴¹

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁴² "Story of Moon and his Wives" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 701-702.

The Moon lived in a distant country, which was cold and largely covered with snow and ice. In another country, which was warm, lived a number of people, among whom were four sisters. The Moon visited these people, and asked for the eldest sister to be his wife. Her relatives consented, and upon his return he took her home with him.

For a time she was quite comfortable, for the Moon had his house in a temperate spot; but one day he told her they were going to move to his new house, which was a cavern in a glacier or snow-field, with icicles hanging from the roof. When they reached this place, he put the woman inside, shut up the entrance, and left her to freeze to death.

Then he returned to her people and told them that his wife had died, and asked for her sister next in age to be his wife. He took her home, but treated her in the same manner as the first one, and froze her to death in his ice-house. Again he returned to the people, told them of his second wife's death, and received from them the third sister as his wife, whom he killed in the same manner as the others.

Now, the youngest sister, who had a lame leg, thought there was something wrong; and, as soon as her sister left with the Moon, she went to the mountains and trained herself as shamans do. Soon she became very wise, and saw, through her shamanistic power, what had been the fate of her sisters. She understood the designs of the Moon.

¹⁴¹ Original footnote: See Teit, *Traditions of the Thompson River Indians*, p. 55.

¹⁴² Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



She had just finished her training when the Moon came along, and said to the people, "My last wife is dead. I desire my remaining sister-in-law to be my wife." She went with him, and before long accompanied him to his new house, as the others had done. On the way thither he said to himself, 'I will kill this one too, thus I shall gain complete mastery over these people, who love warm weather; and I will make much cold and ice in their country, so that they will all die.'¹⁴³ The woman entered the ice-cavern and sat down. She looked up at the roof, and the icicles at once melted. She looked steadily; and the roof of the house, then the house itself, and finally the whole country, melted before her gaze. The air became warm like a Chinook wind; and, aided by the sun, everything thawed out, and the country became as if it were spring. Thus the lame sister¹⁴⁴ thwarted the Moon, and saved the people from being frozen to death, or from having to live in snow and ice, and suffering much cold.

¹⁴³ Original footnote: Some say the Moon belonged to the Cold Wind or North-Wind people, and he wished all the people of the earth to be the same.

¹⁴⁴ Original footnote: Some say she was a Shuswap, and others that she was a daughter of the Chinook Wind or Warm Wind people.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is a proper community response when women mysteriously go missing or die?
- What is an appropriate response to community members when they use marriage for violence and personal gain?
- What are ways siblings can respond to ensure the safety of their family members?

DISCUSSION QUESTIONS

- Do you think things would have turned out differently if the eldest sister's relatives had not consented to the union between her and Moon? Do you think it was her choice to marry him or that everyone needed to consent?
- Do you think the people should have figured out there was something wrong sooner?
- Can you think of some obligations that the community had to the sisters? Do you think these obligations were fulfilled or unfulfilled?
- Should other community members have acted before it went far enough along that the youngest sister had to act?
- How may community members of different experiences, abilities, and perspectives take action to correct issues?



STORY OF SNA'NAZ¹⁴⁵

Sxwé'lecken (or Sixw'ilexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁴⁶ "Story of Sna'naz" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 702-707.

Sna'naz was the youngest of four brothers who lived together with their father. Nearby lived many people, including Coyote. Sna'naz was an unassuming youth, and, moreover, was ugly and had very large eyes. At that time the wind was very fierce and destructive, blowing very hard at times, and even killing people. For this reason the people tried to snare it; but, although they had been trying for a long time, none of them had succeeded. The brothers tried, but they also failed. Thus everyone had failed, and it was now Sna'naz's turn to try. The people all laughed at him when he went out to set his snare, and said, "When all of us have failed, how can an ugly, miserable know-nothing fellow like him succeed?" Three times he set his snare, each time making it smaller; and the people made fun of him. The fourth night he made his snare exceedingly small, and was rewarded by finding the Wind caught in the morning. It was like a very small man with very thin body and limbs; while its head was large, and had long, stiff streaming hair, thus making the head part appear of enormous size. The eyes were large and protruding. He hid the Wind in his robe and carried it home, for it was quite light. The people were glad that their enemy had been caught, and a crowd of them followed Sna'naz when he went to release it. He went to an exposed hillside, and laid his robe down.

Coyote, who did not believe that Sna'naz had caught the Wind, tried to peer into the robe, and watched very closely. All the other people stood behind at some distance. After Sna'naz had made the Wind promise to blow moderately in the future, he opened the robe; and the Wind, rushing out, blew Coyote into the air, where he turned over and over, and up and down.

¹⁴⁵ Original footnote: This story is often told in two parts by the Shuswap; the first part dealing with the capture of the wind by Sna'naz, and the latter part relating his adventures in the underground world, commencing with the stealing of potatoes. The name Sna'naz may mean "little robe;" but some Indians seem to think it is a variation of a name for "owl."

¹⁴⁶ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



Coyote held on first to the grass and bushes, then to the trees; but the Wind was so strong that it blew him off, and landed him in the middle of a swampy lake, where he held on to the rushes, and called on Sna'naz to save him. The latter helped him out, and they went home together. Since then the wind has never blown as hard as formerly, and often never blows at all.¹⁴⁷

It now came to be early spring, and the water-fowl arrived on their way north. The ice still clung to the edges of the lakes, and the people had very little food left. One day a large number of swans arrived, and the people said, "Who can bewitch the swans so that they may become heavy, and we can catch them?" Coyote and all the shamans tried, and also Sna'naz's brothers, but without result. Then Sna'naz said he would try. The brothers laughed at the idea; but their father said, "Let him try. He is greater in magic than you are." The swans were sitting near the edge of the ice, and Sna'naz approached them, as a shaman would, with incantations. They became so heavy that they were unable to fly; and Sna'naz clubbed them all, and killed them. He tied them together, carried them home, and the people ate their fill.

Shortly after this the people were starving again, and made holes through the ice to spear fish, but they did not see any. Then Sna'naz went, and struck his foot four times on the ice. The water bounded up each time, and threw large quantities of fish on the ice. He tied them on a string, carried them home, and the people had plenty to eat until the weather grew quite warm. Then they shifted camp, and hunted deer.¹⁴⁸

Now, Sna'naz's father had a garden near his house, in which he grew potatoes. For some time he had missed some of his potatoes every morning, and had noticed the tracks of the thief. The tracks seemed to come from nowhere, and to lead nowhere: so he was unable to follow them. Now the brothers watched for the thief. The first night the eldest watched, but fell asleep toward daybreak; and when he awoke, he found the fresh tracks of the thief, and more potatoes gone. Then the second and third brothers watched, but with like result. When Sna'naz essayed to watch, the others laughed at the idea of his being able to detect the thief. He, however, sharpened one end of a thin pole, stuck it loosely into the ground, and then sat down, resting his shoulders against the blunt end. Thus he sat watching.

¹⁴⁷ Original footnote: Compare the preceding part with Teit, *Traditions of the Thompson River Indians*, p. 87; Farrand, *Traditions of the Chilcotin Indians*, p. 42 of this volume.

¹⁴⁸ Original footnote: The preceding part is often told as a separate story.



Whenever he fell asleep, the pole fell over, and he awoke. Just about daybreak he saw a very large black object among the potatoes, fired at it, and wounded it. It got up and flew away. Sna'naz watched until he saw it alight far away on the ridge of a mountain. He watched the place until the daylight was bright enough for him to recognize the exact spot.

Then he went to the house, and informed his friends that he had shot the thief. He asked his brothers to accompany him to the spot where he had seen it alight. He said, "I dreamed of a hole in the ground. We will take a long rope with us."

After travelling a long distance, and camping two nights, they reached the place, and found the thief's tracks where he had alighted. They followed these, and came to a chasm in the rocky ground, to which the tracks led. Then the brothers tied a rope around Sna'naz, and lowered him down the hole, promising to pull him up again when he tugged. After he had been lowered a long distance, they felt a tug, and pulled him up again. He told them the hole was very bad, rocky, deep, and dark, but he was determined to reach the bottom. The brothers lowered him again, and he reached the bottom, where he tied the end of the rope to a rock.

He found himself in the Lower World, and saw a wide trail leading away from the hole. On it were the tracks, two or three days old, of a large man. Following these, he soon came to a brush lodge, lifted the mat door, and looked in. Everything inside was covered with soot, and in one corner lay an old man under a robe, which was also soot-covered. He noticed a bullet-wound through the man's shoulder, and he thought to himself, "This is evidently the thief I shot."

As soon as he had entered the lodge, the old man asked him whence he had come, and he answered, "Oh, I am just travelling around to see the country." — "Well," said the old man, "if you continue along the trail, before long you will come to the house of our chief. He is great in magic power, and has two beautiful nieces.¹⁴⁹ Perhaps he may be pleased to see you." Sna'naz soon reached the house of the chief, who gave him food to eat, and asked him whither he was bound. Sna'naz answered, "I am a poor lad, and wander around the country seeking wisdom. I hear you are a great chief, and I desire to learn wisdom from you. I have nothing to eat, and you have much food. I should like to remain with you for a time. If you will give me

¹⁴⁹ Original footnote: Some say daughters. Others say they were girls whom he had stolen from the Upper World, that is from the earth.



food, I will fetch wood and water for you.” Sna'naz lived with the chief a long time, and learned much wisdom from him.

At last one day the chief said to him, “You may perhaps like to go to the other world and see your friends. You have worked for me a longtime, and I have paid you nothing but your food. I like you, because you have acted so faithfully, and behaved so well. I give you my two nieces to be your wives. You may take them whenever you wish.” Sna'naz said he would like to go to see his friends. Then the chief gave him his nieces and a very light box to carry.

When they arrived at the bottom of the entrance, to the Upper World, Sna'naz tied the box to the end of the rope, and put one of his wives inside. He gave the rope a tug, and his brothers pulled the woman up. Then they lowered the box again, pulled up the other woman, and finally lowered the box for Sna'naz. He climbed into the box, and his brothers began to haul him up; but when he was halfway up, his brothers cut the rope, and he fell to the bottom of the chasm. They wanted to kill Sna'naz because they coveted his wives.

Sna'naz was badly hurt by the fall, but managed to crawl to the old man's lodge. After resting there, he went on to the chief's house, and related what had happened; and the chief invited him to stay until he became well, when he would help him.

When Sna'naz was well again, the chief gave him a roll of birch-bark with a picture on it,¹⁵⁰ saying, “I give you this. You can change it to a horse when desired. I will now teach you two wonderful feats.” He stuck the point of a knife into the ground, with the handle sloping away from Sna'naz, whom he told to transform his “picture” into a horse, and ride up over the edge of the knife. Sna'naz threw the “picture” on the ground, and it became a horse, on which he mounted and rode at full tilt to and over the knife. Now the chief made the slant of the knife steeper, and Sna'naz rode over it as before. Again he made it steeper, and again Sna'naz rode over it. The fourth time he made it perpendicular. Sna'naz whipped up his horse, galloped up over the sharp edge of the knife, and disappeared over the top of the hilt. The chief said, “It is well. You are proficient.”

¹⁵⁰ Original footnote: Some say a piece of paper with a picture on it. Others say a piece of bark or paper with writing on it.

Then he took a small ring,¹⁵¹ and set it on its side, with a needle¹⁵² so placed that the point was just in the middle of the ring. Then the chief asked Sna'naz to ride his horse through the ring. Sna'naz charged at the ring, and rode right through it. Four times he accomplished this feat; and the chief said, "You are proficient. You may now go."

Then Sna'naz left the chief, and, on reaching the bottom of the chasm, he rode his horse up its perpendicular walls, climbing to the top without difficulty. Then he rode to the village of the people, changed his horse back to a roll of birch-bark, and himself to a ragged, dirty, famished looking person.

While all this was happening, his brothers, thinking Sna'naz had been killed, kept the women for themselves, and agreed to say that they had brought them from the Lower World, and that Sna'naz had been killed by their uncle. When they reached the village, the people came to see them; and the chief asked them where they had obtained the women. They answered as they had agreed. The women, however, told the chief the true story,¹⁵³ who told the brothers that the girls would remain with him in his house. The brothers said, "Why act thus?" The women are ours. We went to the Lower World with our brother, and fought the people there. Our brother was killed in the battle, and we took these women from our enemies. They stand as payment for our brother, and, being captives of war, they are our property. We won them by our deeds." The chief answered, "They are the same as belonging to you, yet I will have charge of them for little while, until they become accustomed to us and to our ways." The girls staid with the chief, and told him many things about their world, — how the people there had the power of making themselves so small that they could jump or ride through a finger-ring; how they had the power of making themselves invisible; how they could also shorten distances, transport themselves through the air, and run or ride over the sharp edges of knives and up steep cliffs. The chief said, "I will some time test my people to find out if they are capable of doing these feats."

Now Sna'naz came to the chief's house, and no one recognized him. He pretended to be very poor, and asked the chief to give him food and

¹⁵¹ Original footnote: Some say a finger-ring of metal; others that it is doubtful whether it was a finger-ring, but that it was about the size of one.

¹⁵² Original footnote: Some say an awl.

¹⁵³ Original footnote: Some say the girls ran away from the brothers, and took refuge in the chief's house, and told him the story. The brothers went to claim them, but the chief would not give them up.

rest, saying that, when he got well, he would fetch wood and water for him. Shortly after this, the chief announced that he would give a feast to the people and have games.¹⁵⁴ First he placed the point of a large knife in the ground, and asked the men to try and run up over the edge of it. Some of them tried on foot, and cut their feet. Others tried to ride up the knife on horseback, and hurt their horses. Coyote managed to get far up the blade, when his horse, missing his footing, fell, and cut himself right in two.

Then the chief placed a finger-ring, with a needle pointing at the middle, and asked his men to jump or ride through it. They all tried, but the best of them could manage to get only half through. Coyote got farthest through, and stuck on the point of the needle.

Then the chief asked Sna'naz to try; and the people all laughed, saying, "How can a fellow like him do these feats, when all of us have failed? He does not know anything. If he were wise, he would have a house of his own, and not have to work or beg for his food." Sna'naz said, "I am certainly very foolish, and know little. Yet, if you wish, I will try to do the feats." Then he went to a place where he was out of sight, took out his roll of bark, changed it into a horse, and appeared again among the people. Full speed he rode up to the knife, went up over the edge, and disappeared. After he had accomplished this feat, he rode full speed through the ring, the needle only pricking his leg. The people were astonished; and the chief said, "He must belong to the Lower World." The girls, who were looking on, said, "Yes, indeed, he must be one of our people!" Then Sna'naz resumed his natural appearance, and the people all recognized him. The girls said, "He is our husband." His brothers felt ashamed, and avoided him. The chief returned his wives to him, and he lived with them happily, having many children by them, all of whom became noted for magic.

¹⁵⁴ Original footnote: Some say he also offered to give the girls to whoever could accomplish the feats.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is the proper response when you have special skills/knowledge and relatives need help?
- What is the proper response when a community member is deceiving others (for example by concealing harm they have perpetrated against another community member)?
- How does a newcomer train to become a relative in a new community?

DISCUSSION QUESTIONS

- Why do the brothers speak so cruelly about Sna'naz? Is it because of his appearance and perceived lack of ability?
- Do Sna'naz's wives have agency in this story? What is their role and expectations?
- How do you make sense of the response to the brothers when their lies were revealed? They tried to kill Sna'naz, yet it says only that they felt ashamed and avoided him. Does this indicate a loss of their status in the community?
- Did Sna'naz have an obligation to help the people even after they repeatedly mocked him? How does this compare to Sā'tuen, where a young man left due to mistreatment, and *Skunk and Beaver*, where Skunk ended up leaving the community and drowning those who abused him?

STORY OF KUXKA'IN

Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁵⁵ "Story of Kuxka'in" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 709.

A number of people lived together, and among them was a boy who was a nuisance to every one. He was disobedient, lazy, and mischievous. The people made up their minds to leave him, saying, "It will either kill him or make a man of him." One day a few lads induced him to accompany them into the woods, and there they scattered, and left him. He was too lazy to follow them around. After the boys got out of sight, they spat on the ground, and bade their spittle to whistle. Meanwhile the people packed up all their belongings and went off to the mountains. Toward evening the boy, whose name was Kuxka'in, noticed that the whistling was getting faint, and went in search of his companions. At last he found that there were no boys, but that the sound of whistling came from the ground; so he hastened home, only to find all the houses deserted. He searched around, but he could find nothing to eat.

One woman, however, had taken pity on him, and, before leaving, had lighted a slow-match of bark, and covered it with a basket. She left for him fire, sinew, a hammer, and a basket. She had placed her stone hammer on top of the basket, and had instructed it to speak to the boy. When Kuxka'in entered this house, the hammer addressed him, saying, "My owner instructed me to tell you that she had pity on you, and left a slow-match underneath this basket, so that you may have a fire. She also left some sinew to make a bowstring and to tie feathers on your arrows, so that you may shoot game and get food."

Kuxka'in was glad when he heard the words of the hammer. He used it to split fire-wood, and then made a bow and arrow, with which he shot

¹⁵⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



small game, and thus obtained food. After a while he managed to shoot larger game, and he became a good hunter.

In gratitude he filled the woman's house with meat and skins, which he gave her as a present when the people returned, and he also gave her back her hammer. To the other people he gave no presents, because they had taken no pity on him. Kuxka'in thenceforth lived well with all the people, and was no more a nuisance.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response to community members when they have been left alone to fend for themselves?
- What are appropriate community responses when a community member refuses to contribute to the overall success of the community?

DISCUSSION QUESTIONS

- Were other corrective measures taken before Kuxka'in was left alone in the wilderness?
- Did Kuxka'in have people willing to teach him the skills he needed to or was separation necessary for him to learn the importance of being in good relations?
- Why did Kuxka'in return to community?
- How would this story change if Kuxka'in were a young woman?
- If the community had found out, would they have been mad that the woman left tools and instruction for Kuxka'in? Is the community in the wrong for not providing these? Or is the woman in the wrong for helping him when they were trying to teach Kuxka'in a lesson?
- Did Kuxka'in have to do anything else to be re-accepted into the community, or was the fact that he survived (and in the process learned to become a good hunter) enough?



STORY OF HU'PKEN¹⁵⁶

Sxwé'lecken (or Sixw'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁵⁷ "Story of Hu'pken" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 710.

Hu'pken¹⁵⁸ was a lad who lived with his parents, but would do nothing they told him. He was very mischievous, lazy, and quarrelsome, and would not train himself like other lads. As he was a nuisance to the people, his parents arranged to desert him at the first opportunity.

One day the boy went off into the woods and lay down in the shade, as he felt very lazy, and thought his parents might send him to do some work. When he returned home at sundown, he found the houses all deserted, so he started to follow the people's tracks and learn where they had gone. He said, "They cannot be far away, for I hear them whistling." He went in the direction of the sound, but next time it came from another quarter, — sometimes in front of him, then behind him, sometimes distant, and again close. Soon he became weary of following the sound, which really came from the excrements of the people, and, as it was getting dark, he returned to the village.

He entered one house after another, feeling very angry and disconsolate. He could find nothing to eat, except in the houses of Raven and Crow, who had left some fish-skins and other scraps. In the last house he noticed a large basket turned mouth down, and, feeling angry, he kicked it over, saying, "Why did the people not take this with them also?"

He was surprised to find his old grandmother hidden underneath. She was too old to follow the people, and they had left her behind. He was going to kick her also, but she said to him, "Do not kick me! I will be of

¹⁵⁶ Original footnote: A small variety of bird which attacks other birds. I had no chance to identify it.

¹⁵⁷ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépmc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁵⁸ Original footnote: See Teit, *Traditions of the Thompson River Indians*, pp. 26, 51.



service to you, and will teach you many things. Here is a lighted slow match. Kindle a fire with it.”

Then the old woman taught him how to make bows and arrows, and shoot game, that they might have food and clothing. At first he shot mice, rats, chipmunks, and squirrels; and the old woman sewed their skins together and made robes. Then he shot many bright-plumaged birds, and she also sewed their skins into robes. On sunny days the lad delighted in spreading out all his many robes in the sunshine, and admiring them. At last he was able to shoot large game, such as deer, sheep, elk, and bears, and he soon had great stores of skins, fat, and meat.

Now Porcupine happened to come along. When he saw the large amount of provisions the lad had collected, he hurried away to the people’s camp, and told them that Hu’pken was now a great hunter, and had large stores of meat and fat, and many beautiful robes. The people would not believe Porcupine’s story, and sent Crow to verify the report.

When Crow arrived, Hu’pken invited him to eat, and asked him how the people fared. Crow said, “We have found very little game, and are all starving.” Hu’pken gave him a present of fat to carry to the people; but Crow hid it and told the people that Porcupine had lied about the lad, who was just as poor as when they left him. During the night Crow got up and fed his children with some of the fat. The children quarrelled over the food, and made much noise as they ate; and the people, hearing them, said, “Crow is feeding his children secretly.”

Crow returned to Hu’pken and got more fat, which he fed to his children and so they became fat and sleek. Then the people said, “Crow must feed his children on good food, for they are getting fat, while our children are getting thin. We know he is no hunter, and cannot kill game. Where does he obtain his supply?” They sent Flying-Squirrel to watch Crow. He [Flying Squirrel] clothed himself in black moss, and, keeping in the timber, walked along unobserved, and watched Crow’s camp. Seeing Crow’s children eating fat,¹⁵⁹ he returned and informed the people, who asked Crow where he got it, and, he acknowledged that he received it from Hu’pken. The people then returned to their village, where they were feasted by the lad. Hu’pken had filled the houses of Crow and others who had left him food, but he put no meat into the houses of those who had not pitied him.

¹⁵⁹ Original footnote: Some say Flying-Squirrel heard Crow’s children eating, and their father scolding them for making a noise, as the people would hear them and become suspicious. He ran out and seized some of their food, which he brought to the people, who discovered that it was fat.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when community members are unable to provide enough food for themselves?
- What is an appropriate response for a situation in which a relative is lazy and quarrelsome, and does not share in the work?
- What is a proper response when a community member who has been separated from community becomes a contributor and learns to maintain good relationships?
- What are the appropriate ways to deal with youth who are not taking on their responsibilities and integrating into community?
- What is the appropriate way to restore long-term relationships after harm has occurred?

DISCUSSION QUESTIONS

- What might have happened to Crow after the people found out they misled the community and put them at risk?
- Was the grandmother left behind or obligated to stay with Hu'pken? Or was this a decision of her own?
- Even though they'd left him with nothing, there seems to be an obligation for Hu'pken to share with the people when he found out they were starving. Why do you think that is?
- When Hu'pken reunited with the community, why did he only fill the houses of those who left him food?

DIRTY-LAD AND HIS WIVES¹⁶⁰

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁶¹ "Dirty-Lad and his Wives" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 711-713.

There was once a lad who was very lazy, always dirty, and covered with lice. The people tried to make him work and keep clean, but without avail: so they became disgusted and angry with him, and turned him away. He travelled around aimlessly, and at last came to a lodge where he saw two blind women.¹⁶² They were Elk women, and one was handing food to the other. He took the food from the woman, and the other woman asked her friend why she had not given her the food. The other answered, "I gave it to you. You took it out of my hand." The other woman denied having received it, and they began to quarrel.

Suddenly one of the women sniffed the air, and said to her friend, "Do you smell that strange smell? It is other than woman's privates I smell." Her friend declared that she could smell nothing, and was in the act of handing over some more food when Dirty-Lad seized her hand. The woman asked him who he was, and he answered, "I am a man." She said, "You will be our husband." The lad saw that the women were young, and that the cause of their blindness was a skin or film which had grown over their eyes. He took a bone of a black bear, burned it, sharpened his knife, and said, "Now I will cure your eyes." He pressed the bone against the eyeball, raised the skin, which adhered to the bone, and cut it away with his knife. Thus he treated their eyes, and told them to wash with warm water.

When the women looked at their husband, and saw that he was ugly, ragged, dirty, and lousy, they washed him with water, inside and out, thus transforming him into a clean man of good appearance. They made new

¹⁶⁰ Original footnote: I have lately collected among the Thompson Indians a story very similar to this one.

¹⁶¹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁶² Original footnote: See Teit, *Traditions of the Thompson River Indians*, p. 23.



clothes for him, and also a bow and two arrows, and told him, when he hunted, to always shoot above the game, and never at it. He hunted much, and killed caribou, elk, and deer, so that his house was full of meat; and his wives melted much fat. He staid contentedly with his wives for several years, and had a son by each of them.

One day he was thinking of his friends, and felt sorrowful. His wives knew his thoughts, and said, "Our husband is thinking of his friends, and feels sorrowful. We will accompany him to see them." Each of them put all the meat and fat into a mitten, and together they journeyed to their husband's old home. When they had almost reached the place, the wives said to their husband, "You will divide the meat and fat among the people. If any of the women smile at you, or laugh, do not smile or laugh yourself." When they arrived, Dirty-Lad emptied out the contents of the mittens, and the meat and fat assumed their natural proportions. Then the people all sat in a circle, and Dirty-Lad went around distributing the meat and fat, giving a piece at a time to each person. Thus he went round and round the circle until the last of the meat had been given away. After staying a few days with the people, Dirty-Lad and his family returned home.

Again he hunted, and killed caribou, elk, and deer, so that his house became filled with meat; and his wives proposed that they should visit their husband's friends again, and make presents of the meat. They travelled as before, and, upon reaching the people's house, the wives said to their husband, "You will distribute the meat. If, when handing any women their share of the meat, any one of them presses your hand, you must not smile at her." The people sat in a circle, and Dirty-Lad distributed the meat as before. As he was handing the very last piece to a woman, she pressed his hand, and he smiled at her. Immediately his wives and children assumed the form of elks, and ran out. Then all the meat and fat came to life, and ran away in the form of caribou, elk, and deer. Coyote tried to hold on to some of the meat as it was being transformed, but was unable to do so; and the animals kicked him so much as they ran out, that he became senseless. Dirty-Lad was transformed back to his original self, and lived among the people in the ragged, dirty state he had been in before, and as ugly and lousy as ever.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are the appropriate ways strangers and outsiders can establish relationships and immerse themselves in a community?
- What are some appropriate ways to establish or maintain connections with one's old community?
- What are some responses to those who are not fulfilling their obligations as community members or marriage partners?

DISCUSSION QUESTIONS

- Was Dirty-Lad unable to clean himself? Was there no one who could wash him off in his home community? How would knowing that context change your view of Dirty-Lad or the story?
- What do you make of the last line, where it says Dirty-Lad reverts to dirty state and is as ugly, and lousy as ever? Did Dirty-Lad learn his lesson after he returned to his original community?
- What is a person's obligation to care for themselves if they want to maintain good relationships with others?
- Did Dirty-Lad understand the consequences of not following his wives' instructions?
- What do you think about Dirty Lad's children running away?
- How do you think his community received Dirty-Lad when he reverted to his original state?
- What is the role of Coyote in the story?



THE WOMAN WHO BECAME A GRISLY BEAR¹⁶³

Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁶⁴ "The Woman who became a Grisly Bear" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 715-718.

One time in the fall of the year a large party of people went into the mountains to a place called Pełhi'lchil, near High Bar, to dig cinquefoil-roots. When they were ready to return home, one woman, who had four brothers and three sisters, began to menstruate, and asked to be left behind. She said, "When I get well, I will dig a few more roots and then come home." When her period was over, she washed herself and went digging roots. While thus engaged, the Grisly Bear appeared to her in the form of a fine-looking man, and said, "I want you for a wife." She assented, and followed him. He took her back into the high mountains, and they reached a hole in a steep side-hill, which he told her was his home. They entered the den, and shortly afterwards there came a heavy storm, and the snow blocked up the entrance. The Grisly Bear now told his wife that he would soon go to sleep for the winter, and asked her if she was hungry. Then he gave her several baskets full of honey, and a large quantity of dried salmon and hog-fennel and cinquefoil-roots. He said, "There is enough honey to suck, and roots and berries to eat, to last you until spring." Then he lay down beside the woman and went to sleep. He had no connection with her, for it was not the season of bears.

The woman thought of her brothers, and said to herself, "They will search for me, and surely among them they have enough magic power to find me." The Grisly Bear at once knew her thoughts, and growled four times,

¹⁶³ Original footnote: See Boas, *Mythology of the Bella Coola Indians*, Vol. I of this series, p. 111; Farrand, *Traditions of the Chilcotin Indians*, p. 19 of this volume; also Teit, *Traditions of the Thompson River Indians*, p. 72.

¹⁶⁴ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



— once when she thought of all her brothers, and once again as she thought of each. When she thought of her youngest brother, he did not growl. She took this as an omen that the youngest brother would kill the bear.

The brothers searched for her, but could find no trace of her, owing to the fresh fall of snow. They returned home, saying that they would look for her tracks in the spring, when the snow had thawed.

Meanwhile the woman spent a dreary and lonely time in the bear's den. In the spring the brothers found their sister's tracks, followed them, and discovered the den. The snow which had blocked up the entrance all winter had now become quite thin: so they made a little hole through it, letting in the sunlight. The grisly bear awoke, but was still half asleep. The eldest brother aimed his arrow through the hole to shoot it, but the woman pushed him aside. She did the same with the next two brothers. When the youngest pointed his arrow through the hole, she directed it toward the place where the bear was sitting, and then drew aside to let him shoot. The arrow went right through the grisly bear, killing it. The woman ran out, while the brothers entered, and pulled out the carcass of the bear. Their sister said to them, "Save the skin for me, claws and all." The brothers gave her the skin, and they went home.

Then the woman built a brush lodge, and lived apart, some little distance away from the people. No one visited her except her youngest sister, who was a small girl. One day she sent her sister to her mother to ask for four arrow-heads.¹⁶⁵ When she got these, she put them into her mouth, and they became like the teeth of a bear. One day, when she was engaged in dressing skins just outside her lodge, she put on her bear-skin, went up to the frame on which a skin was laced, and bit the frame to try her teeth. She found that they were loose. Therefore she took off the skin and hid it in the lodge. Meanwhile the dogs of the village had noticed her. They took her for a bear, and barked very much. Some people asked her why the dogs were barking at her; and she answered, "They were barking at the frame." She tested her teeth and claws several times; and on the fourth trial she found them firm enough to suit her. Then she told her youngest sister to ask her mother for some raw salmon. When she got this, she ate it immediately, and the little sister saw her large teeth. The girl went

¹⁶⁵ Original footnote: Some say white arrow-stones; others say pieces of jade. Some say copper arrow-heads; others, bone awls.

back and said to her mother, “My eldest sister has new teeth, and they are very large, like those of the grisly bear;” but her mother would not believe her.

One day, shortly after this had happened, the four brothers were out hunting. Then the woman put on her grisly-bear skin, and ran about and killed all the people, including her mother and two of her sisters. She took her youngest sister with her into the mountains, where she built a lodge. Here she dug roots, and made the little sister do very hard work. She also abused her, and used her hair for wiping herself after defecating. The youngest sister was much grieved, and always cried when digging roots alone.

The brothers had been out on a long hunt. When they returned, they found all the people killed, and heard their little sister crying, “Oh, if my brothers were here! Oh, if they could only find me!” They were surprised to find their little sister on the mountains. She related to them how their eldest sister had become a grisly bear and had killed the people, and also the manner in which she treated her. The brothers asked her how the Grisly Bear was accustomed to sit, and she told them, “She sits with her hands and feet spread out towards the fire.” Then they said, “Make four little holes on the side of the lodge towards which she faces. We want to watch her.” They gave her a fool-hen, and asked her to give it to her elder sister. Soon the Grisly Bear came home. She did not notice the holes that the girl had made. When she saw the grouse, she said, “How did you get that grouse to-day? Heretofore you never killed grouse when you were digging roots. You must have met your brothers, and got it from them.” The girl denied having met her brothers, and asserted that she had killed the bird with a stick. Then the Grisly Bear believed her, and took the grouse to the fire to roast it. After the Bear had eaten the grouse, and as she was sitting before the fire with her hands and feet stretched apart, the brothers aimed their arrows through the four holes in the walls of the hut, shot at the same time, and the four arrows pierced the hands and feet of the bear.¹⁶⁶ Then they killed her, and, cutting the carcass into small pieces, they threw it to the four quarters. They kept the heart,¹⁶⁷ however, which they placed in a birch-bark bucket and hid it.

¹⁶⁶ Original footnote: Some say two arrows entered her breast, and two her abdomen.

¹⁶⁷ Original footnote: It seems the Grisly Bear’s life was in her heart.



After burning the lodge, they went to another place not very far away, where they built a new hut. As all the women of their tribe had been killed, they married their little sister. She gave birth to a child, who grew up very rapidly. Meanwhile the Grisly Bear had with difficulty, and after a long time, gathered all her parts together, and become well again. One day, while the brothers were away hunting, she came to the lodge, and killed and ate her sister.¹⁶⁸ Then she took the child on her lap, nursed it, and sang a cradle-song. The brothers, on their way home, heard the echo of her voice, and said, "That is not our little sister's voice: it is that of the Grisly Bear." One of them took the bucket with the heart, and another took two flat stones. When they entered the lodge, the Grisly Bear was still nursing the child, and pretended to be their wife. The brothers appeared not to notice that anything was wrong. They said they were thirsty, and asked her to fetch some water. She took a bucket, and soon came back with some muddy water. They threw the water out, saying it was not fit to drink, and told her to bring clear water. Meanwhile they put the two flat stones into the fire to heat them. Each time she returned with water, the brothers declared it was not fit to drink, and sent her for clear water. When she had gone the fourth time, the stones were red hot. They pulled them out of the fire, and placed the Bear's heart between them. Now the Grisly knew what had happened, and ran back to kill her brothers, and to save her heart, for her life was in it. However, the heart was burned up before she reached the lodge, and she fell down dead; for, although her body was not hurt, her life had been destroyed. After this, the brothers left that part of the country and went to a distant place, where they took wives among strange people. Then they returned and settled at High Bar, where they lived, and had many children.

¹⁶⁸ Original footnote: Some add, she dressed in the dead girl's clothes, which were far too small for her.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is an appropriate response when a family member begins harming other family members, or members of their community?
- What is an appropriate response when you realize you are in a relationship that you do not want to be in?
- What are appropriate ways married couples can sustain good relationships with their respective communities and the communities of their partners?

DISCUSSION QUESTIONS

- Why do you think the woman originally agrees to the marriage with Bear?
- What made the woman change her mind? Why did she hope her brothers would come rescue her?
- How do you think the women felt about being in the cave for winter?
- What happened to her child when the brothers left?



STORY OF TCOTCU'LCÂ; OR, THE HUNTER WHO BECAME A WOLF

Sxwé'yecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁶⁹ "Story of Tcotcu'lcâ; or, The Hunter who became a Wolf" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 718-720.

There was a famine in the land, and a certain family of people were moving from place to place, trying to find game. Among them was a man called Little-Leader (Tcotcu'lcâ¹⁷⁰), who was noted as an indifferent hunter; and, being in a very weak and starving condition, he could not keep up with the other people when they moved camp.

One day when the people were travelling, and he was slowly following them, he noticed the tracks of a deer which was being followed by a large wolf.¹⁷¹ Both had just crossed his path: so, putting down his burden, he followed them until he came to the place where the deer had been caught and eaten by the wolf, who had finished all except the front legs, on which a little meat remained. Little-Leader took these, put them in his pack, and, when he reached camp, he roasted them after the people had all gone to sleep.

On the following day he was travelling behind the people, as usual, and again he noticed the tracks of a deer and a wolf which had just crossed his path. He followed them, and came to where the wolf had eaten the deer. There he found a number of bones with more or less meat on them, put them in his pack, and ate the meat when he reached camp. On the third

¹⁶⁹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁷⁰ Original footnote: A diminutive form of the word, applied to the leader of a pack of wolves.

¹⁷¹ Original footnote: This wolf was a leader. The leaders of a pack are called tcaa'a or tcoo', and nEko'A (-first or "leader"). They are the largest and fleetest wolves of the pack, and run and kill the deer, while the other wolves only follow to eat.

day the same thing happened, and he found more meat on the bones than before. On the fourth day, tracks crossed his path as before, and, following them, he came to where a large wolf was sitting beside the carcass of a deer that he had just killed.

The Wolf said, "Come here! What are you doing?" And the man answered, "I have followed your tracks, thinking that I might get some of the meat you might leave, as I am a poor hunter, and I am weak and starving." The Wolf said, "It is well. You have been poor and hungry a long time. Now I will help you." He took two long feathers from the centre of the tail of a chicken-hawk and a small bag of red paint, and gave them to the man, saying, "When you hunt, tie up your hair behind your head and stick these feathers in the knot. Take this paint, and draw with it one stripe on each side of your face, from the eyebrow down over the eye to the jaw.¹⁷² This deer that I have killed is of no use to me, for its entrails are torn.¹⁷³ Take the carcass home with you and feed your people."

The man carried the deer home, and when he gained strength, he began to hunt, and was so successful that he soon filled all the lodges with meat, and the people had plenty to eat. He was very careful to follow closely all the instructions the Wolf had given him. He never ate any meat himself, but only the marrow of old deer-bones, which he roasted. This made him fleet of foot. Although the people pressed him to marry, he always refused, saying, "If I take a wife, I shall lose all my power, and I shall not be able to run fast."

The people did not know that the Wolf had helped him and had become his guardian, and they wondered how such a poor hunter had suddenly become far superior to all the other people. Coyote said, "He has become a shaman, and has obtained some great guardian spirit."

One day, when the man was sweat-bathing alone, Coyote noticed that he had left his clothes and his quiver lying near his bed; and he said to himself, "I will examine them, and see if I can find out what his guardian spirit is." He searched the man's bed, and underneath his pillow, but could find no trace of any medicine-bag. The people told Coyote to desist, saying

¹⁷² Original footnote: Some say he was told to wear the feathers only when he hunted, and to paint his face only when he killed a deer.

¹⁷³ Original footnote: The Indians say that if a wolf happens to catch a deer, and tears its entrails when killing it, it will not eat the carcass, but leaves it.



that he had no right to search another man's bed; but he paid no attention, and looked through Little-Leader's clothes. Now, the Wolf had told the man to hide the paint and feathers at the bottom of his quiver, and never to let anyone see or touch them. Coyote, having looked in vain everywhere else, took Little-Leader's quiver and emptied out the arrows. At the bottom he found the paint and feathers, and said to the people, "Look here! These are his guardians. He paints his face, and ties these feathers to his hair, when he hunts, and thus he is successful. I will do likewise and go hunting."

The man in the sweat-house knew at once what had happened, and began to howl like a wolf. The wolves also knew, and came around the camp, howling. The man left the sweat-house, assumed the form of a wolf, and ran off and joined the wolves, with whom he disappeared, howling loudly. Then all the fat and meat, and even the bones and skins, in camp, came to life, assumed the forms of deer, ran away, and also disappeared, with the wolves baying behind them. Thus the people were left starving as before, and they could not find game, for the wolves drove it all away. The man never returned; and it is said that thereafter he lived with the wolves, and became as one of them.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is the appropriate response when a new community provides someone with an ability, gift, or abundance of a resource, which allows them to contribute to a community that has abandoned them?
- What is an appropriate response when another (more able/resourced) community provides benefits or guardianship to a member of one's own community?
- How should individual inter-community connections be respected or upheld by others?

DISCUSSION QUESTIONS

- How can coveting someone else's gifts and abilities damage yourself and your community?
- Should the people have done more to stop Coyote?
- Does this story speak to individuals who are trying to maintain balance and respectful relations between diverse (and differently resourced) communities? If yes, how?

STORY OF THE MAN WHO MARRIED THE GRISLY BEAR¹⁷⁴

Sxwé'yílecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁷⁵ "Story of the man who married the Grisly Bear (Fraser River and North Thompson Divisions)" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 720-722 [Story of the man who married the Grisly Bear].

One spring a man belonging to Big Bar went out hunting, and was attacked by a grisly bear, which tore off one of his arms. He managed to reach home, however, and by fall the wound had healed. Then he said, "I will go and seek the grisly bear."

Before he had gone very far, he came to where a grisly bear had been eating salmon on the banks of a stream. Following the tracks, he arrived at a thicket of service-berry bushes, where the bear had stopped to feed. He followed the tracks to a patch of soap-berries, where the bear had also been feeding, and farther on to a place where the bear had been digging hog-fennel roots and also cinquefoil roots,¹⁷⁶ and at last came in sight of house from which smoke issued.

He entered, and saw a very nice-looking woman, who invited him to sit down. The only other occupant of the house was the woman's father, who was a very old man, and lay huddled up in a corner. The woman, who was making bark mats, arose and gave the man some salmon. While he was eating, she laughed at him because he had only one arm, and joked a great deal about it. When he had finished eating, she said to him, "I wish you to be my husband. Will you stay with me?" He consented, and she made a thick bed of mats, on which they lay down together. Then she pulled out a bundle from the head of the bed, opened it, and showed the man his arm.

¹⁷⁴ Original footnote: See Farrand, Traditions of the Chilcotin Indians, p. 23 of this volume.

¹⁷⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépmc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁷⁶ Original footnote: These are favorite foods of grisly bears.



She put it in place, and at once it became the same as before, and he was glad. Soon the man wished to have connection with her; but she pushed him away, saying, "I am not like women of your kind. You cannot have intercourse with me. It is not my season."

On the following day she sent him to hunt black bear, and said, "If you see bear's tracks going through fallen logs of a gray color, do not follow them; but if they pass through fallen timber of a black color, then follow them, and you will be sure to find a black bear."¹⁷⁷ Before long the hunter saw tracks leading through black timber, followed them, and came to a black bear's house. He killed the bear, which was very fat, and carried the meat home. Four times he went hunting, and, following his wife's directions, he killed a fat black bear each time.

Then his wife said, "We have so much meat that we cannot possibly eat it. Let us give a feast to the people." She told her father to go and invite them. He put on a grisly-bear skin, and looked just like a bear. Soon he returned with many people, who looked just like grisly bears. Then the woman said to her husband, "Be not afraid when you see my people. They are my brothers and sisters. Sit close to me. If you runaway, they will kill you."¹⁷⁸

When the bears smelt the man, they made a great noise, pawed the earth, and tore the bark of the trees. Now the woman said to them, "Don't roar so loudly and act so terribly. You make your brother-in-law afraid." At last the bears finished their feast, and all dispersed.

The man staid with the woman all winter. When spring came, she gave him a grisly-bear's penis, and, taking him to the side of a small bank or knoll, they had connection after the manner of bears. In due time the woman bore two children; and when they were strong, she said to her husband, "We will go to where the people live. Perhaps you would like to see your friends." When they arrived near the mouth of Big Bar Creek, where there is a large patch of service-berries,¹⁷⁹ the man visited his friends while his wife and children were picking berries. His relatives had all cut their hair, for they thought he was dead. They wondered at seeing him, and were astonished

¹⁷⁷ Original footnote: The Indians say that grisly bears prefer to walk through fallen timber which has been burnt and become gray or bleached by age; while black bears prefer to travel through fallen timber more recently burnt, which is black.

¹⁷⁸ Original footnote: The Indians believe that to run away from a grisly bear means almost certain death.

¹⁷⁹ Original footnote: This place is said to be a little above Phil Grinder's ranch.



to find that his arm had grown on again.

While he was talking to them, someone came with the news that a grisly bear and two cubs were feeding in the berry-patch. The people said, "We will go and kill them." The man accompanied them; and when they came close to the bears, he said to them, "Sit down and watch me. I will go and kill them alone." When he reached them, the cubs ran out and played with him, and the old bear came up and embraced him. The people thought their behavior very strange, and, thinking that there was some mystery about it, they returned home. The man went away with his wife and children.

The wife said to him, "You did not see enough of your friends. Go and live with them for a while; but be very careful to avoid pubescent girls, menstruating women, and women who have recently given birth."¹⁸⁰

Then he returned to the people, and lived, with them. They moved camp to gather soap-berries; and before they had been there long, someone came with the tidings that a grisly bear and cubs were feeding in the soapberry patch. The people went to kill them, and the man accompanied them. When they came in sight of the bears, he told the hunters to sit down, saying, "Watch me! I will go alone and kill the bears." When he drew near, the bears ran to meet him, and embraced and played with him. He went away with them, but returned again to the people.

Soon the people moved to dig hog-fennel roots, and the same thing happened. Then they moved to dig cinquefoil-roots, and the same bears were discovered feeding there. The man went out as before to meet them; but the cubs attacked him. Then the old bear attacked him, and they ate him up, for he had been defiled by a pubescent girl. The people could not kill the bears, but returned home, saying, "These are his wife and children."

¹⁸⁰ Original footnote: For this reason, the Indians are very particular, when hunting, to avoid those persons in every way, because otherwise they fear they may invite attacks by grisly bears.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- How do you support the integration of a new person into your community, especially if they are from a community with very different traditions?
- What is the response when new community members do not follow the expectations and ways of being of their new community?
- What is the appropriate way to integrate a person safely into a community, especially when harm has previously occurred between community members and that person?

DISCUSSION QUESTIONS

- Did the man follow the rules of his first community when he returned? How could he have reconciled the differences of the communities and honored both traditions?
- Why did the wife want him to spend so much time in his previous community? Was he not considered a member of the bear community? If not, what could he have done to become one of the grisly bears?

THE MAN WHO MARRIED THE SĀ'TUEN

Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁸¹ "The Man who married the Sā'tuen" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 722-724.

A lad was badly treated by the people, who always scolded him, gave him the worst food to eat, and old things to wear. He felt much grieved because of his treatment, and left his village. He wandered south along Fraser River, remained a little while in each village that he passed, and thus reached the Thompson [Columbia] River, and eventually arrived in the country of the Sā'tuen.¹⁸² There he came to many houses on a large grassy plain. He entered the first house, which was occupied by a very old man and his granddaughter.¹⁸³ They asked him where he had come from, and what he was doing there. He answered, "I am a Shuswap. My country is far away to the north. I have wandered south to see the world." The old man said, "I know your country. We rest there every year going north." The young woman asked him to be her husband: so he staid with her all winter.

One day in the early spring she said to him, "In ten days all the people will make ready for their journey north. You will go with us and see your own country." The lad was glad to hear this. One morning the chiefs blew bone whistles,¹⁸⁴ and all the people put on their Crane dresses, and blew their whistles in imitation of the cries of Cranes. They flapped their wings, and then ascended and descended in the air. Thus they acted for four days, morning and evening. The woman said to her husband, "The people are now practicing and making ready for the journey north." She had done the same as the other people. Then the man said to himself, "This numerous people,

¹⁸¹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁸² Original footnote: A variety of crane or heron.

¹⁸³ Original footnote: Some say his daughter.

¹⁸⁴ Original footnote: The same kind of whistles as are used by Indian young men and women.



whose houses cover the plain, are, after all, the Cranes that I used to see pass my home every spring. I shall be deserted. They will all soon leave here, my wife among the rest.” His wife knew his thoughts, and said, “We shall not leave you. We shall take you along.”

On the following morning all the birds came, and each plucked a feather out of its body and out of one wing, and gave it to him. His wife fastened them to his body, and he was now able to fly. She also gave him a whistle made from the wing-bone of the Crane. For two days they trained themselves, flying up and down above the houses, and on the next morning they flew away on their northern journey. The man, his wife, and father-in-law followed a little behind the others. This is the reason why three birds are always seen flying behind the others.

When they reached the Shuswap country, the Cranes asked the young man where his home was. He named a place near Horse Lake, where his people were living at that time. The Crane people alighted and camped near there that night. This is the reason why the cranes always rest there on the passage north or south.

His wife said, “Go to your friends camp and visit them, but return at daybreak.” He spent the night there, told all his adventures, and heard all the news that they had to tell. At daylight he left, saying, “I am now going to join my wife.” The people followed him, and saw him fly away with the Cranes, who were going far north to their breeding-grounds.

In the fall of the year, on their way back, they camped again near the people; and the man visited his friends, taking with him his wife and children. On the following morning they all flew away south, to the land of the Cranes. Thus the man visited his friends for many years on his passages north and south, until his relatives had all died, when he came no more. He staid in the land of the Cranes, and became as one of them. He had many children.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are some appropriate ways to reconcile with a community when relationships are broken or strained?
- What are appropriate responses of newcomers when they first join a community and don't understand the ways of their new community?
- What is the appropriate response when a newcomer joins your community or family and lacks the skills to adapt or integrate?
- How are relationships with previous communities honored and maintained when you join a new one?

DISCUSSION QUESTIONS

- Did the boy's children (and subsequent generations) have any continuing relations with the Shuswap community?
- How will this story change how you understand Cranes?
- How do you develop a sense of home, trust, and belonging?
- Why is it important to know people's backstories or context when you come into contact or want to build a relationship with them?
- What caused the boy's community to treat him so poorly? What happened there? Was he like Hu'pken? How would you compare the two stories?



THE GAMBLER'S SON AND RED-CAP¹⁸⁵

Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),¹⁸⁶ "The Gambler's Son and Red-Cap" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 727-729.

Some time after the gambler's son had won back his father's wealth, a stranger¹⁸⁷ wearing a red cap visited him, and proposed that they should play lehal and other games. They gambled until Red-Cap had won everything. At last they staked themselves. This time the lad won, and claimed Red-Cap as his slave. Almost immediately afterwards, the stranger and all he had won vanished as if the ground had swallowed them up.¹⁸⁸ The lad was much vexed, and wandered about in the mountains.

At last he met a young woman, and asked her if she knew where Red-Cap lived. She did not know, and advised him to go where a young man lived. On reaching his place of abode, he asked the young man, but in turn was directed to go to an old woman, who answered that she did not know either, and sent him to an old man. This old man, who lived at the edge of a great lake, was Bald-Headed Eagle. In answer to the lad's query, he said, "Yes, I know where Red-Cap lives. My grandson, it is very far away and very hard to reach; but I will help you." He gave the boy four deer-hoofs filled with food, directed him to feed him whenever he seemed to become weak, and invited him to sit on his shoulders. Then he flew with the lad far out to the middle of the great lake. The lad fed the Eagle the contents of one hoof, and the bird ascended until he was as high as the mountain-tops. He began

¹⁸⁵ Original footnote: See Farrand, Traditions of the Chilcotin Indians, p. 26 of this volume. This story is also related to the tale of Asi'wa (Astiwa'l) of the Trimshian (see F. Boas, Sagen, etc. p. 285).

¹⁸⁶ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁸⁷ Original footnote: This was Red-Cap, who, some say, was a chief of white people. Some Indians claim that he was the red-headed woodpecker, but most of them agree that he was the thunder.

¹⁸⁸ Original footnote: Some say they vanished, or became invisible; others say everything sank into the ground as raindrops, etc.



to weaken again, and fell back. The lad gave him the contents of another hoof, and he rose to the level of the lower clouds. Again the lad fed him, and he rose up to the highest clouds. The fourth time he fed him, the Eagle rose almost to the sky; and from here they were able to see the shores of the great lake.

On the east rose a high cliff; and beyond, in a level country, they could see Red-Cap's house. Now Bald-Headed Eagle flew with the boy to a place near Red-Cap's house, where he alighted, and advised the lad, saying, "Go and hide near the creek where the chief's daughters bathe every evening. The garter of the elder one is green; that of the younger one is red. Steal the green one, and return it to her if she will promise to help you. Then you will be successful. I will wait here for you six days, in case you should need my aid. If you do not appear within that time, I shall know that you are safe, and shall return home."

Then the lad dug a hole, and hid Bald-Headed Eagle in it. He erected a shade of brush over his head to protect him from the sun, for it was very hot in that country. In the evening the lad hid near the creek, and saw Red-Cap's daughters come down to bathe. When they were in the water, he rushed out and seized the garters of both. The girls squatted in the water, and the elder prayed him to give back their garters, promising that he should marry her younger sister. He returned the red garter to the younger one, but would not give back the other until the elder one promised to be his wife and to help him. At last she consented. Then he withdrew and let them dress. The girls informed him that their father's name was Red-Cap, that he was chief of that country, and that he was a cannibal. Many young men had come there to marry the sisters; but their father always put them through a number of tests, in which they had all failed, and thus had met their deaths. She also told him what the tests were, and asked him not to be afraid, for, if he thought constantly of her when in trouble, he would escape all dangers.

Then the lad entered Red-Cap's house and asked for the hand of his daughter. Red-Cap said that he might have his daughter if he proved himself worthy, and proficient in magic. The lad expressed his willingness to undergo anything for the sake of the girl: so Red-Cap ushered him into a den of bears,¹⁸⁹ and immediately the stone door shut behind him. Whenever he

¹⁸⁹ Original footnote: Some say hogs.

thought of the girl, the bears were tame, and remained quiet; but, as soon as his thoughts wandered to something else, they growled and made ready to attack him. He remained there four days, and the girl opened the door and fed him each night. At the end of the fourth day, Red-Cap opened the door, expecting to find that he had been devoured, and was surprised to see him as well as ever.

Then he put him into a cave full of excrement, and the stone entrance closed behind him. Here he remained four days; but he constantly thought of the girl, and the excrement neither harmed him, nor did he suffocate or notice any smell.

Next he was thrown into a cave full of needles, where there was no place to lie, sit, or stand without being pricked. For four days he remained there; but, by constantly thinking of the girl, the needles gave him no pain, nor drew any blood.

Then Red-Cap gave him the fourth and severest test. He placed him in a cave of cold and ice, expecting that he would freeze to death; but, by thinking of the girl, the temperature around him became warm, and he spent the four days in comfort. When Red-Cap found him still unharmed, he said, "You may have my daughter. You have proved yourself worthy, and great in magic power."

After this he lived with his wife, but liked neither the country nor his father-in-law. He told his wife that he wished to return to his own country, saying, "Bald-Headed Eagle brought me here; but now he has left, and I do not know how to go, for my country is so far away." His wife said, "We will take my father's horses. They can go like the wind, walk on ropes and hairs without falling off and on water without sinking." So they put food for the journey into four hoofs, and, rolling up four blankets, they went at night and took Red-Cap's two magic horses, one of which was all white and the other all black, and started on their journey.

On the following morning Red-Cap missed them, and gave chase mounted on what seemed like the lightning. When he had nearly overtaken them, they unrolled the red blanket and threw it behind them, thus creating a large tract of mud, knee-deep and very sticky. Red-Cap had much difficulty getting through this. At last, however, he drew near to them again, and they

unrolled the green¹⁹⁰ blanket, and threw it behind them, creating a dense thicket of scrub-pine. After a while Red-Cap surmounted this obstacle also, and again gained on them fast. Then they unrolled the white blanket and threw it behind them, creating a wide tract of wet alkali-ground, very slippery.¹⁹¹ As Red-Cap came close to them the fourth time, they unrolled the black¹⁹² blanket and threw it behind them, creating a dense patch of hawthorn-bushes. Red-Cap had much trouble getting through, as the thorns tore his clothes and the skin of his horse, thus making it afraid and nervous. This gave the fugitives time to reach a lake, where the woman pulled a hair out of her head,¹⁹³ and, throwing it down, it formed a bridge on which the horses walked across. They had just gotten over when Red-Cap appeared on the opposite shore and followed them across the bridge. Now they told the hair to break when Red-Cap reached the middle, which it did, and thus he and his horse were thrown into the lake and were drowned. The lad reached his own country with his wife and horses, which made him very wealthy, for they ran much faster than any other horses, and thus he won all the races.

¹⁹⁰ Original footnote: Some say yellow.

¹⁹¹ Original footnote: Some say ice.

¹⁹² Original footnote: Some say blue.

¹⁹³ Original footnote: Some say the man did this.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are some of the expected steps or procedures that might occur when wanting to marry into a new community?

DISCUSSION QUESTIONS

- Why do you think the Bald-Headed Eagle was so quick to help the Gambler's Son?
- Can you imagine the journey of the Gambler's Son if the Bald-Headed Eagle had not helped him?
- Do you think that the way the man and woman removed themselves from Red-Cap's community was done in a healthy way? Can you think of a different way that they might have done this?
- What do you think of the role of women in this story? How much power did they have to make decisions about their lives?



COYOTE AND HIS WIVES

Sisyúlecw (also Sisiu'lâx) (George Louis, North Thompson Secwépemc (Símpcwemc)),¹⁹⁴ "Coyote and his Wives" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 745-746.

Coyote was living with a friend, who had a very pretty wife. He became enamored of her, and killed his friend, so that he might gain possession of her. When the woman refused to go with him, he said to her, "I have even killed my friend to gain you, then why should I spare you if you do not obey my wishes?" She became afraid and went with him. He said, "To-morrow I will hunt, that you may have fresh meat to eat." On the next morning he hunted, and in the evening returned with two fawns, — one for her, and one for himself, — but he ate them both. Then he said, "You are only my slave, and not my wife, I will seek a real wife," and killed her.

Soon afterwards he saw a man and his wife, and, after casting a spell over the man which put him to sleep, he killed him and took possession of the woman. He said to her, "To-morrow I will hunt, that you may have meat to eat." On the following morning he hunted, and brought back two fawns, which he ate himself. Now he told the woman that she was only his slave, and not his wife, and that he wanted a real wife. Then he killed her.

Again Coyote stole a wife by foul means (my informant had forgotten the exact manner in which he obtained her). He killed two fawns, which he ate himself. Then he said, "To-morrow we will shift camp;" but in the morning the woman had a swelled leg, and could not walk. Again he hunted, and killed two fawns, but on the following morning the woman was still unable to walk. This happened four times; then he said to her, "You are my slave, and not my wife," and killed her.

Again Coyote got a wife by foul means, and killed her (my informant

¹⁹⁴ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



had forgotten this part of the story).

Now Coyote could find no more people, and at last made up his mind to take a corpse for his wife. He went to a graveyard and dug up the body of a woman. He opened her eyes, but they would shut again. Then he treated her as shamans treat sick people, and she moved a little. He continued to do so, and her eyes opened. He said, "There is sufficient life in her," and placed her in a sitting posture. He talked to her, and said, "I will go hunting and bring you food." He returned with two fawns, cooked them, and offered her some meat to eat. Now he made her lie down, saying, "To-morrow we will move camp." When day came, he said, "Arise, wife, we will shift camp," but she never moved. Again he said, "Make haste, wife, and arise, we must shift camp;" and thus he addressed her four times, but she never moved. Now he got angry and struck her with his fist on the cheek, saying, "Thus I treat a disobedient wife." Again he struck her with his fist on the other cheek; but his hand slid off, taking off the rotten flesh, and exposing the bone.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What is the outcome when one perpetuates unhealthy, abusive, and deadly treatment of people experiencing conditions of vulnerability (in this case, women) in the community?

DISCUSSION QUESTIONS

- What is the significance of the number four—specifically that there were four wives and four attempts by Coyote?
- What do you think happened to Coyote? Did he have to answer for his behaviour and treatment of his wives?



THE GOAT WOMAN

Unknown (Likely Sisyúlecw (also Sisiu'lâx) (George Louis, North Thompson Secwépemc (Símpcwemc) or other men from the North Thompson Band),¹⁹⁵ "The Goat Woman" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 748.

A Goat who had his home in the high mountains visited the people, married a woman, and took her home with him. When they came to the bottom of the great cliff on top of which the Goats had their house, the woman was unable to climb it. The Goat said to her, "Your shoes are not of the right kind, I will give you good shoes for running on the cliffs, I will give you shoes of the Goat people." He then put goats' hoofs on the woman, and she became able to climb the cliffs.

In due time the woman bore a son, who grew very fast and was very clever. He begged of his parents to be taken to his grandparents, whom he was anxious to see. The Goat told his wife to take their son to her parents, and supplied them with many hoofs full of goat-meat and goat-skins. When they arrived among the people, they emptied out the hoofs; and the minute particles of goat-flesh and goat-skin that were contained in them assumed their natural proportions, and furnished the people with much meat and with skins for bedding. The woman and the Goat boy staid with the people a whole year, and then returned to the Goats. They never visited the people again, and were finally transformed into real goats.

¹⁹⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- How are new members of a community treated and integrated into that community?
- How can the joining of a new community (through marriage) change your relationship with your previous community?
- What is the appropriate response when children want to reconnect with other parts of their community?

DISCUSSION QUESTIONS

- What led the woman and her son to fully transform to goats? Did the relationship between the two communities end as a result? What does this tell you about the importance of maintaining relationships?
- Why wasn't the child born as a goat or immediately viewed as a goat?
- Could the communities have lived together without the goat transformation if they had wanted to?
- Why did they no longer visit the human people after they were turned into goats? Could they have if they had wanted to?



THE WAR WITH THE SKY PEOPLE¹⁹⁶

Unknown (Likely Sisyúlecw (also Sisiu'lâx) (George Louis, North Thompson Secwépemc (Símpcwemc) or other men from the North Thompson Band),¹⁹⁷ "The War with the Sky People" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 749.

Black Bear and Wolverine were both great chiefs, the former of the Fish people, the latter of the Bird people. They assembled the warriors of all the fishes and birds of the earth to go on a war against the people of the sky. All the men shot their arrows up towards the sky, but they fell back without hitting it. Last of all, Wren,¹⁹⁸ who was the smallest of all the birds, shot an arrow, which stuck in the sky. The next smallest bird shot an arrow, which hit the end of the first one; and thus they shot arrows; and one stuck in the end of the other, until there was a chain of arrows forming a ladder from earth to sky. On this all the warriors ascended, leaving the two chiefs to guard the bottom. Soon after all had reached the sky world, Wolverine and Black Bear began to laugh at each other's tails. Black Bear grew angry, chased Wolverine around the foot of the ladder, struck against it, and knocked it down.

Meanwhile the earth people had attacked the sky people, and at first were victorious; but afterwards the latter, gathering in great force, routed the earth people, who fled in great disorder towards the top of the ladder. By its fall their retreat was cut off; and many made a stand against the sky people, while others threw themselves down. The birds were able to reach the earth safely, for they could fly down; but many of the fishes, who tried to throw themselves into a large lake, were wounded. In their fall, some

¹⁹⁶ Original footnote: See Boas, *Indianische Sagen*, p. 17; also *Sagen der Kootenay* (Verhandlungen der Berliner Gesellschaft für Anthropologie, Ethnologie und Urgeschichte, 1891, pp. 161-172).

¹⁹⁷ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

¹⁹⁸ Original footnote: Some say Humming Bird, others Chickadee.



missed the lake and dropped on rocks. Thus the skull of the sematsa'i came to be flattened, the kwa'ak broke its jaw, the tcoktci'tcin got a bloody mouth, and the sucker had all its bones scattered and broken, so that it died. The grandson of a man called Tceł gathered the bones, put them back into the body, and revived it. This is the reason why the sucker has now so many bones scattered through its flesh, why the sematsa'i has a flat head, the tcoktci'tcin¹⁹⁹ a red mouth, and why the mouth of the kwa'ak appears to be broken. The earth people who remained above were all slain, and transformed by the sky people into stars.

¹⁹⁹ Original footnote: The Shuswap in many parts of the country do not eat this fish.



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- How do communities respond to harms experienced by their community members?
- What is the appropriate response when people in important positions act irresponsibly or fail to provide safeguards that a community needs?
- How do communities look after each other in times of hardship?

DISCUSSION QUESTIONS

- Was the grandson who helped one of the Bird or Fish people? Was it his community members he was helping? Or was he an outsider?
- What are obligations of leaders when they are in positions of power and their actions can have large impacts on community members?
- Why were the Fish people up with the Bird people in the Sky World? Should there have been safeguards in place for them since they are more vulnerable in the Sky World? What would those safeguards have looked like?
- How should Bear and Wolverine have acted instead? What were their responsibilities as Chiefs/Leaders?
- What are some Secwepemctsin words in this story? What do they mean and why are they important to this story?

THE BUSH-TAILED RAT

Unknown (From the Upper Thompson and Lytton), "The Bush-Tailed Rat: From the Upper Thompson and Lytton" (From the Upper Thompson and Lytton). James Teit, recorder, "Thompson Tales" in Franz Boas, ed, *Folk-Tales of Salishan and Sahaptin Tribes in Memoirs of The American Folk-Lore Society* 11 (New York: GE Stechert & Co, 1917) 22 at 22 [The Bush-Tailed Rat].

It was winter, and many people were living in a large underground lodge, and many others were living in numerous lodges near by. The people were losing their food-supplies, but no one knew who was stealing them. Many children of all ages had been stolen. The thefts happened every winter when the people had camped there, and continued until spring. One night an old woman could not sleep. She heard some one enter the lodge, run around the house, and then go up the ladder and vanish. On the following morning it was noticed that a number of things had been stolen. The woman informed the people, who in the following night lay down undressed but armed. About midnight some one came down the ladder and began to pick up food and other things, which he put into a sack. They recognized him as Bush-Tailed Rat. When he went out, all the people followed him. He went to his house, which was located between the rocks, and called to the door, "l'î'qa!" Then it opened. He entered with his load, and called "Tla'qî'pa!"²⁰⁰ and it shut. Then a man who followed close on his heels jumped forward and placed a large thunder arrow-head crossways in the entrance, preventing the shutting of the door. Now the people went in and discovered their property and their children that had been lost for years. Some of the children who had been young when they were taken, were now grown up. There were piles of ornaments, clothes, and food. They attacked Rat and crushed him. They threw him out among the rocks. They transformed him, and said, "Henceforth you shall be a rat, and shall steal only a little at a time. You shall eat rose-berries and prickly-pears, and roll them to your house. You shall gather sticks, and build your house among rocks. Your excrement shall be valuable as medicine."²⁰¹

²⁰⁰ Original footnote: These words mean "wide open" and "tightly closed" (imperative forms). Some people say the Rat pronounced the words differently; viz., "îlê'eka" and tlêkê'êpa." Some say this is why the door opened and shut rather slowly. Others say this is the pronunciation peculiar to the Rat.

²⁰¹ Original footnote: The droppings of the bush-tailed rat are called by old people *smû'tlast*, and were used by some as a tonic or medicine for the stomach. A small one or half a large one was dissolved in a cupful of water, and constituted a single dose. — See RBAE 31:613 (No.9).



QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- What are appropriate individual and community responses when children have been taken?
- How do people respond to the serious and continual theft of community resources?
- How does a community respond when a community member's actions cause ongoing harm to the community's well-being?

DISCUSSION QUESTIONS

- Why was Bush-Tailed Rat stealing from the community?
- What is the significance of Bush-Tailed Rat being transformed into an ordinary rat? Why did they make his excrement medicinal?

THE SUCKER STORY

Mary Thomas, “The Sucker Story” as told to Brian D. Compton and Dwight Gardiner on 20 March 1996 in Enderby, BC [Archived with ILRU].

When the Creator created all things on earth, the sucker was the lucky one. He was created the most intelligent, the most handsome, just smart. And he could out swim any fish. He was so beautiful and strong. And he’s swimming around, out in the lake, showing off. He’d leap out of the water and look around, to see who’s watching him.

And one day he happened to look up and he saw this big yellow thing up in the sky—the moon. And he said “What is that thing doing up there? I thought I was higher than everything. I’m going to show it. I’m going to be higher.” So he dives down. He gets down and he leaps up, and he goes sailing up in the sky and he drops back, splash in the water. He tries that three times but he still couldn’t go over that yellow thing. The fourth time he said “This time, I’m going to go way higher.” So he goes right to the bottom, hits the ground, and he gathers all his strength, and he gives it everything he’s got and he leaps out of the water and he goes way up, sailing way, way, way up. Still he couldn’t go over the yellow moon. And he goes way down. He misses the water but he lands on a pile of rocks and breaks every bone in his body. So he’s laying there, moaning and groaning.

Creator told him “If you put yourself back together, mend yourself, I’ll let you go back into the water to live.” So he’s laying there and somebody said “There’s a moose coming down there.” He said “Get it for me,” and he sticks the moose horns in his head.

Somebody comes along and says “There is an osprey down there.” He says “Get it for me.” And he sticks the osprey in his head.

And Somebody says “There is a mountain goat down there.” He says “Get it for me” and he sticks it on his cheeks.

He has badger, mourning dove, and all the different little birds and animals he put in his body. On the sides they had the little y-bones, fine y-bones. They’re the fish weir. And we have the teeth of the fish that told us that there’s going to be lots of saskatoon or different berries.



When he is completely finished all his broken bones, somebody said “There’s a fish net down there.” He says “Go get it for me.” They bring him the fish net and he throws it over himself and he’s completely finished. And he is wondering what he’s going to do with his face that once was so beautiful. Somebody said “There’s a rectum down there.” He says “Go get it for me.” So he put that on his face and that’s where his little mouth is. When you see it now, it’s all puckered up.

He completely finished himself, so the creator said “All right, I’m going to let you back in the water—be a fish again.” But he said “Humans to come will never find you in fresh water. You will live around the edge of lakes and sloughs and you will feed on moss and mud for the rest of your days.”

So when, in the spring, around May, if you go down to the slough, where there’s a lot of moss on top of the water, you will hear a little noise sucking underneath the moss, and if you take a good look, you will see their little mouths coming through, and sucking in and feeding on the moss.

And the lesson is that no matter how handsome, how beautiful, how good looking you are—never let it get to your head. If you’re intelligent, instead of showing how intelligent you are always be willing to share and help other children that are having a hard time to learn. That way you do not suffer.

That’s the end of the sucker story.

QUESTIONS FOR LEGAL NARRATIVE ANALYSIS OR CASE BRIEFING

- How might communities come together to help a harmed community member?
- What are some appropriate responses to injuries of community members?
- How should people respond to injury to others?
- How to respond when a community member in a position of power fails to uphold their responsibility to the larger group? (See *Story of Suckerfish* below)

DISCUSSION QUESTIONS

- Had someone tried to teach Sucker about showing humility? Should the community have stepped in before this? How would that have changed the story?
- If Sucker had been injured in a way that he was not trying to show off, would he have received different parts from people?
- Who is “somebody” —a person or many people? Did the storyteller forget their name?
- Did all animals contribute? Or were there some who refused? How did they decide which parts of themselves they would give?
- Why did Creator tell Sucker that he’ll live on the edges of the lake (in the muck) and feed on moss from now on?
- Why do you think Sucker’s mouth was formed from a rectum? What do you think this taught Sucker about humility?
- How does *The Sucker Story* compare to the *Story of Suckerfish*? Do the different tellings help us to understand different aspects of the story?

Note that the “Questions for Legal Narrative Analysis or Case Briefing” and “Discussion Questions” for this story can also be applied to the following story Re tsq̓ wmus re stsptekwlls – Story of Suckerfish



RE TSQ̓ WMUS RE STSPTEKWLLS – STORY OF SUCKERFISH

Adapted from a story told and edited by Skeetchestn Elders Language Group, Skeetchestn Community School: Garlene Dodson, Christine Simon, Amy Slater, James Peters, Julie Antoine, Daniel Calhoun, Leona Calhoun, Johnny Ben Jules, Ron Ignace, and Marianne Ignace on 13 September 2012. Helper-volunteer: Julienne Ignace. Other versions of this story include one by Ike Willard (retold in English in Bouchard/Kennedy, 1979 Shuswap Stories).

Le q̓ 7éses-ekwe le qelmúcwes re swewll, re spipyúy7e ell re tmescéceñ, m-tsyem ne7elye ne Nekw7etkwe.

Long time ago the fish, the birds and the land animals were like people, they lived here in the Thompson River.

Ta7-ekwe put k scw7it.s re ststillens, tekts'llen-ekwe.

They say that they didn't have much to eat, they say that they were starving.

Ye-ekwe yiri7 re nexwéytsens re qelmucw.

They say that the people were out of food.

Ptinesmens tkenhé7e es repelcs ne tqeltkúl'ecw es píxems.

And they thought about how they could go up into the sky country to go hunting.

T7alesmentem te sk'elép es xilems.

Coyote doubted that it could be done.

Tsxlítenses re sk'elep xwexweyt re qelmucw es tqwelminst.s tkenhé7e me7 re sxilems.

So Coyote invited all the people to discuss how they could do it.

Re skem̓cis m-tsuns re kw'séltktens, "Me7 tsq̓élen̓tem cw7it te tskwel7úwi ne tk̓emesq̓t wel me7 k̓ulentem k xnicw-kt es repelc-kt ne tqel̓tkúlececw.

Grizzly Bear told his relatives, "we will shoot lots of arrows up in the sky to make a ladder to climb up into the sky country."

Re skem̓cis, re kenkék̓nem, re mélem̓stiye ell re smuwe7 m- tsq̓élens re tskwel7úwis wel re m-k̓ulem te xnicw.

Grizzly Bear, Black Bear, Wolf and Cougar shot their arrows up until they were able to make a ladder.

M-yews re sr̓epelcs xexwéyt re qelmucw. Cw7it-ekwe re stectict̓se7s te t̓sí7, cw7it re sk̓écems, ell cw7it re s7illens.

And then all the people climbed up. They hunted lots of deer, they dried lots of meat, and they ate lots.

Re kenkék̓nem m-yecwmins re xnicw es ta7es k swet.s es yelxwentés.

Black Bear looked after the ladder so that no one would wreck it.

Re xgwélemc m-t̓inucwmens re kenkék̓nem te tscescíspe7s te supe7s.

Fox envied Black Bear's bushy tail.

Le7 yem re sts'exténs-ekwe. Piq re tweméqst.s re súpe7s.

It looked beautiful and it had a white tip.

M-neq̓wcit.s re kenkék̓nem te supe7s, m-llwélenses re newí7s te cwtsetsits.se7t te súpe7s te tsòlsens.

He stole Black Bear's tail, and he left him with his own short disgusting tail.



M-geyep7uyes re kenkéknem, m-tsuneses re xgwélemc, “Me7 wiwlen re xnicw, e ta7ews es tspelqilctsemc ten suspe7.

Black Bear got really angry and told Fox, “I will wreck the ladder if you do not give me my tail back!”

M-tsúntmes te xgwélemc, “Cuý yem, xilemce, xwexwéyt re s7éstcwem well ren smém7stem, xwent k s ucwt.s. Kémell re newi7 well re7 smé7stem re swewll ri7. Me7 kwellciyucwt.

He was told by Fox “ok, go ahead, all the ducks are my sisters, they can fly well. But your sisters are the fish, they will have to fall down.”

Geyép7uy re kenkéknem, m-melcentésés re xnicw, m-wíqenses.

Black Bear was really mad, he kicked down the ladder and he wrecked it.

Le tsútes es tspepelqílcs xwexwéyt re qelmúcw ta7 k stens neri7 k xnicw.

When all the people wanted to go back down, there was no ladder there.

M-sesúxwenstes re spipyúy7e te m-tecwtúycwt, kémell re swewll m-mestentsútes es ust.s.

The birds got down by flying, but the fish had to try diving down.

Re xyemésell xenwéllens es ust.s ne ctset’kwews²⁰² wes re pésellkwe.

Kamloops Trout managed to dive into the middle of the lake.

Re pisell m- petkwt re kémlniwt.s, telri7 yem m-tsiqwes pyin re kémlniwt.s.

Rainbow Trout scraped his sides [when he landed in the water], so he has red sides.

M-ustes re steksell, kémell ta7 put k sxgattkwes, m-estpages ne welánk.

²⁰² Note that the diacritic over the t is incorrect. Please refer to the original version for the original placement of the acute accent and the apostrophe accent over the t.



Dolly Varden dove down, and he landed in shallow water that flattened his belly.

M-ust re sgwigwle m-llecuptes re supe7s ne scencénc telri7 wel tskétcwes re supe7s pyin.

When Lake Trout dove down he hit his tail on some rocks, and that is why his tail is now forked.

M-llgwilcwes re mamelt, esû_7 ne s epqwlecw, kémell m-sixelc ne sewllkwe. M- legtsinem le m-llegwilcwes, telri7 wel k wes7uy pyin re splutsens.

When Whitefish jumped down he landed in the mud but he moved into the water. He closed his mouth tightly when he jumped, that is why he has a small mouth now.

Le llegwílcwes re ckémúlecw tsecmuqwtSEN te scenc, m-estûe7es, ri7yem tsegentéSES re splutsens, ell ri7 wel xyemtsin pyin.

When Ling Cod jumped he had a rock in his mouth, and that is how he tore his mouth and now has a big mouth.

Ell le m-xleqes ne kwellkémt.s re scenc, m-ts1ellpáwes, m-kultes re sweptsins ne tkemepe7sqens.

And when he got stuck on a rock he flattened his head slightly, and a whisker grew on his chin.

Le llegwilcwes re qwe7k, m-tsilem, m-xqleqptsines ne kelcmeke7s re tsrep. M- knucwentmes es kitscs ne sewllkwe.

And when [suckerfish] got stuck after he jumped they helped him get into the water.

M-yews re sllegwilcs re tsqwmus. Le llgwilcwes m-mestentsut es cpelp tel ri7 yem m- cikens re p_sellkwe, m- estké7es ne sxest.

When [suckerfish] jumped, he tried to do a back-flip, that is how he missed the lake and landed on a rockslide.

M-lnitśstes, m-qweqwenstemexwexwéyt neri7 te w7ec te qelmucw.

He got smashed up, and he was pitied by all the people who were there.

M-yews re skeckecmentsút.s es knúcwentem.

And so they each gave something of themselves to help him.

Le llnitśtes re qweqú7lls tel ri7 yem-ekwe skectémes te qweqú7lls te iswell, te s7éstcwem, te qwumqens re qwisp, te welepst.s re teniye.

When he smashed his bones, he was given the bones of the loon and the duck, the skull of a buffalo, the horns of a moose.

M-kectémes te mu7 es kúlcť.s te lleqleqúlls.

He was given a fish-trap to make him a rib-cage.

M-tiyéwtśentmes ne ctákweten es kúlcť.s te sespeys.

He was wrapped in a fishing net to make him a skin.

M-yews re skectéms te splont te cpú7tens es kúlcť.s te splútsens.

And skunk gave him his anus to make him a mouth.

Tel ri7 yem pyin wi7 re sweswísentsut.s, kemell w7ec re tsetskecmes, m-negwílcwes ne ckemúlecws re pésellkwe.

And that's how he doesn't show off anymore, but he is ashamed and hides out on the bottom of the lake.

Note that the “Questions for Legal Narrative Analysis or Case Briefing” and “Discussion Questions” from *The Sucker Story* can also be used for this story.

EXAMPLE LEGAL NARRATIVE ANALYSES



COYOTE AND THE CANNIBAL BOY

Legal Narrative Analysis

Source

- Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁰³ "Coyote and the Cannibal Boy" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 640-641.

Issue

- What steps should be taken when introducing a new person into the community?

Facts

- Coyote spies a boy near the houses of some people and captures him to be his slave. He puts the boy on his shoulders and quickly walks away. Coyote doesn't know the boy is a cannibal.
- The boy picks at a boil on Coyote's neck. Coyote keeps telling him to stop as it is painful. But the boy continues picking, making the sore bigger, saying he is only opening the sore so it would heal.
- When Coyote reaches home, the people ask him about the boy. Coyote says he stole the boy for a slave. The people warn Coyote that the boy's friends, if from a nearby tribe, may attack them.

Decision/Resolution

- Coyote ignores the signs the boy is a cannibal and his community's warnings.
- That night, the cannibal boy almost kills Coyote. He kills everyone else in the community except for one other man.

Reasons

²⁰³ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.

- Said: Coyote should have inquired as to who the boy was before capturing him to protect his community. Unsaid: it is important to take into consideration community safety when you're introducing new people. Know who they are, where they are from, and who their relatives are.
- Unsaid: Coyote ignored the signs that the boy was a cannibal because he wanted a slave. Unsaid: Don't ignore indications that a person may be harmful, even if you're really excited about them being a part of your life. Disregarding warning signs that a person is dangerous, and bringing that person into the community can harm the entire community.



BEAVER AND PORCUPINE

Legal Narrative Analysis

Source

- Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁰⁴ "Beaver and Porcupine" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 654-655.

Issue

- What is the proper response when a relative is threatening the survival of others or is acting in a way that makes it impossible for other people around them to live?

Facts

- Beaver and Porcupine lived and ate together, but Porcupine always ate Beaver's food instead of his own. So, Beaver left Porcupine alone, and took his food to eat some distance away. But Porcupine still left his own food and went over to Beaver and ate his.

Decision/Resolution

- Beaver tricked Porcupine, taking him to the mountains and transforming him into a common porcupine so that he would never again live with Beaver and take Beaver's food. Then Beaver went off to live alone in the swampy areas.

Reasons

- Said: Beaver responded because Porcupine interfered with Beaver's meal.
- Unsaid: When a relative is harming others in the community, if possible, a proportional or least drastic response should be tried first. Thus, before separating permanently from Porcupine, Beaver

²⁰⁴ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



was obligated to try a less drastic step of moving a distance away from him to eat. Only when this failed to get Porcupine to change did Beaver take him to the mountains and leave him there.

- Unsaid: Even though Porcupine ate Beaver's food, Beaver still makes sure to leave Porcupine in a place where he could find an abundance of food and live well. So, there are obligations to ensure the wellbeing of kin, even in situations where they have harmed others in community, or when they have been intentionally separated (on a temporary or permanent basis).



STORY OF GRASSHOPPER

Legal Narrative Analysis

Source

- Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁰⁵ "Story of Grasshopper" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 655.

Issue

- What is an appropriate response when a relative refuses to gather and store food for the community?

Facts

- Grasshopper's community is busy catching and curing salmon. The people ask him to help them.
- Grasshopper refuses to help, saying that he doesn't need salmon because he eats grass, which was plentiful. Also, Grasshopper would rather jump and make noise than do work.
- Winter comes and covers the grass with snow so that Grasshopper has nothing to eat. Grasshopper begs the people to give him dried salmon.

Decision/Resolution

- The people did not force Grasshopper to assist them in gathering and storing food.
- In the winter, when Grasshopper was hungry and begging for food, the people did not share their salmon with him. They refused, telling him to go jump and play and eat grass.

²⁰⁵ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



- When Grasshopper was nearly dead, the people transformed him into a common grasshopper (tekata'ka). He must now live on grass and spend all his time jumping around and making noise.

Reasons

- Said: The people didn't share their food with Grasshopper because he was too lazy and thoughtless to help them during salmon season. If Grasshopper wanted to access fish in winter, he should have helped catch and cure it.
- Unsaid: One of the obligations of being kwséltkten is sharing in the work of the community.
- Unsaid: The community gave Grasshopper a chance to remedy his actions. They did not take the more drastic measures (denying fish and transforming him) until he continued to refuse to help.



WOLVERENE AND FISHER

Legal Narrative Analysis

Source

- Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁰⁶ "Wolverene and Fisher" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 673.

Issue

- What is an appropriate response when a community member who is in a vulnerable position is being stalked or harassed (by an outsider)?

Facts

- Fisher saw a woman pass. He told Wolverine he intended to follow her, which he did for several days, but he didn't find her. Wolverine said he would try to find the woman and he did.
- The woman was at her lodge, sleeping alone because she was menstruating. She had taken off her good clothes and placed them under her pillow.
- Wolverine transformed into a dog and went into the lodge, then took the woman's moccasins. The people saw and chased him, but he got away.
- Later, Wolverine returned and took the woman's leggings. People chased him, but he got away again.
- Wolverine returned more times, and took her sinew bag, skirt, and robe those time. And finally returned and kidnapped the woman.

²⁰⁶ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



Decision/Resolution

- The people chased Wolverine away each time he took the woman's belongings, but they did not take any additional steps to investigate what was happening or protect the woman. They failed to protect the woman and Wolverine was finally able to take the woman home with him.

Reasons

- Said: The people chased Wolverine away because they thought he was a dog who was stealing the woman's belongings. Unsaid: The people should have considered that the outsider was targeting this woman and taken additional steps to protect her.
- Said: The people chased the dog/Wolverine to retrieve the woman's belongings and the woman. Unsaid: there is an obligation intervene and protect a person and their property from theft and harassment.
- Unsaid: There is an increased obligation to intervene or take steps on this kind of harassment when the person is being clearly targeted or is experiencing conditions of vulnerability (menstruating and on her own).



STORY OF THE SALMON-BOY

Legal Narrative Analysis

Source

- Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁰⁷ "Story of the Salmon-Boy" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 690-691.

Issue

- How does one respond when a relative who has unexpectedly left community unexpectedly returns?

Facts

- A boy who lives with his grandparents falls into the river and floats downriver to the land of the salmon. The boy's grandfather believes his grandson is dead and is very sad.
- After a time, the boy tells the Salmon chief that he wants to return home. The Salmon chief transforms the boy into a salmon and tells him that he will go upstream when the other Salmon run.
- When the salmon start their run, the grandfather makes a weir where he lives and catches the boy with the other fish.

Decision/Resolution

- The boy's grandfather is about to split and dry the boy but noticed the fish's eyes are like those of a human.
- The grandfather wrapped the salmon-boy in a blanket and hanged him in a tree. Over the course of four days, each day unwrapping him to check, the fish morphed into human form until at last he jumped out of the blanket as the grandson.

²⁰⁷ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



- The grandson told his grandfather to keep his return a secret, and to catch and cure all the fish he can while the grandson hunts for two months. The grandson said he would give a feast to the people when he returns.
- The family holds a great feast for the people, who are surprised to see the boy.

Reasons

- Unsaid: The grandfather's knowledge and keen observation allowed him to recognize one salmon's human eyes, and thus helped save his grandson. He was the right/only one who could do this, due to his intimate knowledge and connection with his grandson.
- Unsaid: The boy required time to fully return to his original state and community, which is why he was hung in the tree and given time and space to return to human form.
- Said: The boy's return required the grandfather's participation and fulfillment of several steps: wrapping him, hanging him, and attending to him for four days. The boy required additional time before being re-introduced to the wider community, and both he and his grandfather needed to make careful preparations for this occasion.
- Unsaid: The feast honoured the people and helped them accept the boy back into their community, and honoured the Salmon people who kept the boy safe. Feasting is important for honouring (balance and restoration, experience and survival, acceptance).



GRISLY BEAR'S GRANDCHILDREN

Legal Narrative Analysis

Source

- Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁰⁸ "Grisly Bear's Grandchildren (Fraser River and North Thompson Divisions)" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 691-696.

Issue

- What are appropriate individual and community responses when a new relative is formed through marriage, particularly when the people marrying come from places very different from one another?

Facts

- Grisly Bear's daughter sees a speckled trout and wishes to have him for her husband. The trout transforms into a handsome man who tells her he will take her at her word and that she must be his wife.
- The Trout-Man and the daughter plan to go to his water world to live.

Decision/Resolution

- The Trout man put his new wife on his back and told her not to open her eyes as they dive into the lake. The wife opened her eyes three times, and they had to go back to the surface. On the fourth try, she kept her eyes closed, and they reached the bottom of the lake.

²⁰⁸ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



- The Trout-Man asked his wife to wait while he alerted the people that he has brought a newcomer to the community.
- The Trout-Man sent his sisters to meet his new wife where he asked her to wait. She went with the sisters to the community even though she didn't like the way they looked.
- The community welcomed the newcomer but also gently tested her when she arrived; they asked her to find her husband and although she failed three times, they smiled and told her to try again, which she did until she succeeded.

Reasons

- Unsaid: The man told his new wife to not open her eyes because they could not reach his community if she did. Unsaid: the wife couldn't reach the community until she understood the instructions or she trusted her husband enough to keep her eyes shut. Unsaid: Entering a new community requires a great deal of trust in your partner and their knowledge. Unsaid: When bringing a person into community, it is important to explain instructions as well as give them.
- Unsaid: the husband sent his sisters to meet him while he went to warn the community because (1) the sisters might be able to assist his new wife in the transition and (2) he knew the wife was in an unfamiliar environment and may need help. Unsaid: the woman stayed and waited for her sisters-in-law and went with them because she trusted her husband. Unsaid: The sisters assisted their new relative because they were supporting her integration into the community. In-laws may have an increased obligation when it comes to welcoming new kinship ties through marriage.
- Unsaid: The community helped the woman be able to recognize her husband and distinguish him from other fish because they had role to play in supporting her integration in community. Unsaid: sometimes you can expect to be tested in the new community to see if you are teachable and ready to become a part of it.



STORY OF KUXKA'IN

Legal Narrative Analysis

Source

- Sxwé'ylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²⁰⁹ "Story of Kuxka'in" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: E.J. Brill & G. E. Stechert, 1909) at 709.

Issue

- What are different responses when there is a community member who refuses to contribute to the overall success of the community?

Facts

- Kuxka'in is a lazy, disobedient nuisance.

Decision/Resolution

- The community decided to leave Kuxka'in alone. They believed this will either kill him or make him a man.
- Kuxka'in accompanied a few boys into the woods and because of his laziness they were able to sneak off and leave him there alone. By the time Kuxka'in realized this and returned to his village, all the people had left.
- One woman pitied Kuxka'in and left him some basic tools of survival. She told the hammer to give Kuxka'in instructions about how to get started.
- Kuxka'in used the tools the woman left to survive. Over time, he became a skilled hunter.
- When Kuxka'in's community returned he gifted the woman (meat and skins).

²⁰⁹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



- Kuxka'in lived well with the other people after that and was no longer a nuisance.

Reasons

- Said: The community left/abandoned the boy because he was a lazy, disobedient nuisance, and they believed this might make a man out of him: "It will either kill him or make a man of him."
Unsaid: As a last resort, leaving a community member to independently learn the value of hard work and community contribution may be necessary.
- Said: the woman left basic tools of survival because she pitied him.
Unsaid: Even when teaching someone a hard lesson, it is important to ensure they have the basic tools they need to survive. You can't teach a lesson if you set a person up for failure. It is okay to dissent in a community decision and act when it means helping someone survive.
- Said: Kuxka'in repaid the woman for her help by gifting her with meat and skins. Unsaid: When someone helps you, you should repay them somehow, or offer reciprocal assistance to them
- Said: Kuxka'in became a great hunter and was no longer a nuisance as a result of his experience. Unsaid: Hard experiences sometimes carry great lessons and teaching



DIRTY-LAD AND HIS WIVES

Legal Narrative Analysis

Source

- Sxwé'lecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²¹⁰ "Dirty-Lad and his Wives" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 711-713.

Issue

- What are proper responses when a partner fails to meet community standards or expectations of an agreement or marriage?

Facts

- There is a man who is dirty and lazy. The people try to make him work and keep clean, but could not, so they turn him away.
- Dirty-Lad wanders and arrives at a lodge where there are two blind women—Elk women. Elk women invite (declare?) Dirty-Lad to be their husband.
- Dirty-Lad cures their blindness by removing a film from their eyes. The Elk Women see Dirty-Lad's appearance and wash him—"transforming him into a clean man". They make him new clothes, bow/arrow, and teaching him to hunt well.
- Life is good—two sons were born, one from each woman.
- Dirty-Lad experiences loneliness for his friends at home—Wives know this, and prepare to go with Dirty-Lad to see former community—they take with them much meat and fat.
- Wives tell Dirty-Lad to divide the food they brought among people, but not to laugh/smile at any of the women. Dirty-Lad

²¹⁰ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



distributes the food evenly to all people and follows their instructions. They stay for a few days and then return home.

- Dirty-Lad becomes homesick so they visit his relatives once more. Again, they bring meat as gifts and the wives give Dirty-Lad the same instructions not to smile at any of the women. However, this time Dirty-Lad smiles at a woman as he's handing her meat.

Decision/Resolution

- Dirty-Lad's wives and children turned into elk and ran away. All the meat and fat came back to life and ran away also.
- Dirty-Lad transformed back to his original self. He thereafter lived among the people in his dirty state, as ugly and lousy as ever.

Reasons

- Unsaid: Dirty-Lad's relationship with his Elk wives and children was severed when he broke his agreement/did not meet their expectations. This is why the wives and children turned into elks and ran away. The women had a right to leave the marriage when he broke his word.
- Unsaid: The meat turned into animals because he was no longer in a relationship with his wives and what he had hunted came as a result of that agreement or treaty with the Elk people Unsaid: when people leave a marriage/end an agreement, the gifts they bring into the marriage are returned to them.
- Unsaid: Dirty lad returns to his original state because it is the agreement with the wives (marriage) that has transformed his appearance. Unsaid: access to benefits and material support arising from an agreement or marriage end when that agreement ends, and people are returned to their original position.
- Unsaid: When being accepted into a new community, people are given guidance and aid to live well in that new context. People who marry into communities have obligations to meet the community or family standards/laws they are taught.
- Unsaid: Dirty lad had a right to return to his community when the marriage ended. When connections/relations with new communities fail, people are still able to return to their original position in their old community.



THE MAN WHO MARRIED THE SĀ'TUEN

Legal Narrative Analysis

Source

- Sxwéylecken (or Sixwi'lexken, "Big Billy" of Dog Creek and Big Bar, born near Big Bar),²¹¹ "The Man who married the Sā'tuen" in James Teit, recorder, "The Shuswap" in Franz Boas, ed, *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* 2:7 (Leiden & New York: EJ Brill & GE Stechert, 1909) at 722-724.

Issue

- What is the appropriate response when a new person joins your community and lacks the skills to integrate or adapt?

Facts

- There is a lad who was not treated well by his community, and he left. The lad travels far and arrives in the land of the Cranes.
- He meets an old man and his granddaughter and asks him where he came from. The woman asks him to be her husband and he stays with them all winter.
- In early spring the community prepares to fly north, and they say they are taking him with them. The husband is worried the community will leave him behind.

Decision/Resolution

- His wife knew his thoughts and assured him he would be coming.

²¹¹ Regarding attribution, see James Teit, "Preface" "The Shuswap" at 622 and 745-746, as cited above. Also see Marianne Ignace and Ronald E. Ignace, *Secwépemc People, Land, and Laws* at 20-21, 60-1, as cited above.



- The entire community gave the newcomer two feathers; a body feather and a wing feather. The wife gave him a bone whistle which imitates the cries of cranes.
- The community trained him for two days.
- The man, his wife and his father-in-law followed shortly behind the others on the journey.

Reasons

- Said: His wife knew his thoughts so reassured him. Unsaid: When you bring someone in your community you don't leave them behind and have obligations to teach them how to be a part of the community. Unsaid: Sometimes it takes extra reassurance when someone has a background of trauma/uncertainty (having been kicked out his previous community). Healthy relationships anticipate needs and build trust, which helps with adaptation.
- Unsaid: The community gave the husband feathers so that he could create wings and travel with them. Unsaid: Once the kinship bond was established, the Cranes had a responsibility to assist the boy to become a full member of their community (feathers; training; guidance in journey). There will be times when support of the entire community is necessary that cannot be fulfilled by select few members.
- Unsaid: His wife and father-in-law provide the whistle and fly with the new relative to support the integration of the boy and be there for him during travel. Unsaid: Closer relations (e.g., wife, in-laws) have different obligations to those they brought into community.
- Unsaid: It is not enough to just give someone tools the community needs to make sure they can use them properly/safely.
- Unsaid: When someone lacks full ability, extra care and attention is needed to help build up their skills.



THE SUCKER STORY

Legal Narrative Analysis

Source

- Mary Thomas, “The Sucker Story” as told to Brian D. Compton and Dwight Gardiner on 20 March 1996 in Enderby, BC [Archived with ILRU].

Issue

- What are the appropriate responses to injuries of community members? How should people respond to injury to others?

Facts

- Creator made sucker the lucky one—most intelligent, handsome, and strong. He swims better than other fish and likes to show off.
- Sucker sees the moon and wonders how it can be higher than him and decides to try to jump higher than the moon. He tries three times and fails. On the fourth attempt he misses the lake and breaks all the bones in his body.
- Creator says to sucker that if he mends himself, he will let him back into the water to live.

Decision/Resolution

- Somebody (unknown) alerted Sucker to other animals nearby and sucker asked them to “get” the animals for him and the somebody helped.
 - Moose—sticked horns on
 - Osprey—in his head
 - Mountain goat—on his cheeks
 - Badger, mourning dove, all the different little birds and animals contribute to his body - bones in particular.
 - Teeth of the fish (which speak to when it saskatoon and other berries are plentiful)

- When sucker finished his broken bones, somebody told Sucker there's a fish net, and sucker asked for it. Somebody got it, and Sucker threw it over himself.
- Sucker wondered at his face (which was so handsome). Somebody saw a rectum and Sucker asked to get it and used it for his mouth.

Reasons

- Unsaid: Somebody saw or heard the problem with sucker and wanted to help. It's important to help people who cannot help themselves.
- Unsaid: Somebody took instructions from Sucker because Sucker might have known how best to put themselves back together. Unsaid: when you're helping someone in an emergency, it is important to ensure they have some agency over solutions, and are able to make decisions for themselves.
- Unsaid: the animals, bird, and fish were all willing to help because Sucker needed the help and asked for it. Unsaid: it is important to provide what you can to help, particularly when a community member is harmed or in an emergency. Unsaid: interventions are immediate in circumstances of life or death.
- Unsaid: it didn't matter what the circumstances of the injury (that he was showing off or that it was self-harm)—people still helped.



NOTES



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