

Dispute Resolution of our Ancestors

The CTSI Tribal Court Rules and Procedures establish the Siletz Community Court. One purpose of this court is to resolve disputes more traditionally. This article presents some written accounts of dispute resolution in the history of the different tribes

making up the Siletz confederation.

The first account is about Takelma people, the second relates to the Tututni, and the third is a report about a tribunal, or early version of Tribal Court, established among the tribes at the Siletz Agency. This article includes

these accounts verbatim as they were printed in their original sources.

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Siletz Tribal
Court and
Code
Development

Takelma Texts

by Edward Sapir

3. How a Feud Was Settled.

(How) one acts as a go-between. (Let us suppose) people who are related to each other by their children's marriage slay one another, on either side they call for each other's bones, dead men's bones they call for. Dentalia, those used to be termed dead men's bones. So then they make speeches to one another, and one is made a go-between, so that he may go between (both parties). "Give me blood-money, since you have slain me!" people said to each other. Now he (whose kinsman) has been slain, that one makes use of the go-between. "Give me of that kind, give me one hundred," says the slayer of the person is told. But he does not wish it. "I will not give you anything, I shall even kill some more of yours," says the slayer of the person. Then the go-between returns across, then recounts what he has been told. "I'll give you no blood-money!" he says to you," says he. Then the go-between (adds), "Not in that fashion!" no matter how often I told him."

"Do not tell me that, since you have slain mine just for nothing, though I did nothing to you. For just no reason have you slain one of mine, though yonder my girl is dwelling," (thus) people spoke to one another in times long past. Then he returns across. "Just you give me blood-money!" he says to you. "Too far will it go! People will yet be slain," says I," says the go-between. Then, recounting what he has been entrusted to say, the go-between tells him thus, "Now these whose (kinsman) has been slain, their heart has become sick." That did people of long ago say to one another when they killed each other. So then once more the go-between turns across. On this side he whose (kinsman) has been slain cries. "Keep on going across! Many things he must give me," says he whose (kinsman) has been slain. So he returns across. "Just you give me something!" he says to you," says the go-between. "Give him something!" says the go-between, to the slayer of the person he says it. "Perhaps too far it goes. Yet shall people be slain; they will get even with you. Many people will be killed, so for that reason give him something!" says the go-between.

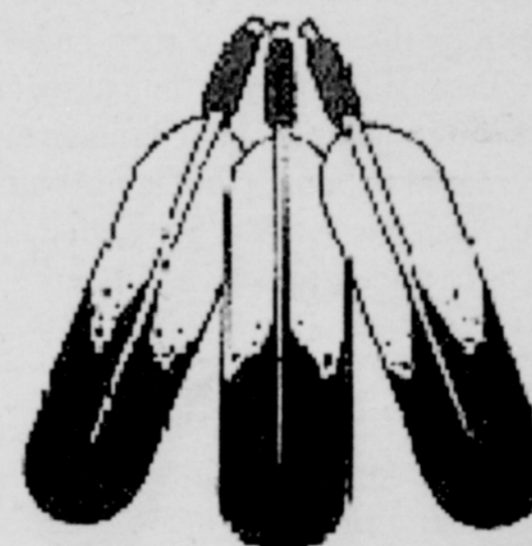
Then "Yes" he says. "I'll give him something. It is well," says the slayer of the person. "You shall not get even with me, I'll give you something. Friends to each other we are," says the slayer of the person. "Some little thing do you also give me in return!" Now the go-between returns again; now he whoops, his heart has become glad. Now it is known that it is intended to give him something. Many are the people. Now he whoops. "I give you blood-money," he says to you. "Do you too give me a little bit," he says to you." Then he relates to them what he has heard. A certain one answers him, "Just that he says." Then they give each other blood-money. Now on either side they proceed to each other and give each other (presents). The slayer of the person gives most of all, to him, in his turn, is given just a little bit. Thus in time long past, indeed, people (acted) when they slew one another. And also the women on both sides give each other many things. And the go-between also is given something, dentalia are given to him. On this side he whose (kinsman) has been slain, that one does so, that one gives him dentalia. The slayer of the person does not give him anything.

3. How A Feud Was Settled.

Xa^{wit}. Yap!a t!omōxaⁿ k!o^{xám}xa yowó^{da} ha^éyà yōk!^{wat}gwan yilim, xilam yōk!a^a yilim. Tc!òlx ga xilam yōk!a^a nagánhan. Gas^íe gane tc!ibínxaⁿ, gas^íe xa^{wisa} k!em^{?n}, gas^íe xa^{wit}. "ibi^le ú^si t!ümuxda^e," nagásaⁿ yap!á. Aga t!omománma^e ga xa^{wisa} k!emèi. "Ganat^é ú^si, t!eimí^s ú^{ci}," nagàn yap!a do^{má}s. Gas^íe ani^e gelgulùk'. "Wedé k'ai úsbiga^e, honó^e dō^mxbín yá," nagá^{ie} yap!a do^{má}s. Gane xa^{wisa} hanyewé^{ie}, gane gwenhegwéhôk^w. "Aⁿⁱe ibí^le ugusbiⁿ, nagasbi," naga^{ie}. Gane xa^{wisa}, "Wedé ganat^é, ú^si is^{ie} nagáⁿ."

"Wedé ga n?xdam t!ümuxda^e haxo^{nhì}, áni^e gwi^e na^{nagás}binda^e. Ganga t!ümuxdam yaxà, wa-iwi^tèk' gè cí^{ulit}'a^e," nagásaⁿ yap!a hop!èⁿ. Gane hányewe^{ie}. "Ganga ibil^e ú^si, nagásbi. 'Gi^éwa k!i^{gá}t^e, honó^e yap!a do^{maná}, nagait^e," nagá^{ie} xa^{wisa}. Gane gwenhegwéhak^wnana^e gana^{néx} malàk' xa^{wisa}, "Gane aga dumhak^wdan guxwí xilam la^{le}." Ga nagásaⁿ yap!a hop!èⁿ t!omōxanda^e. Gas^íe gane honó^e hanyewé^{ie} xa^{wisa}. Emé^{dat} dumhòk^w t'agá^{ie}. "Ganga hanyèu! k'aiwi^e ugu^si," nagá^{ie} dumhòk^w. Gas^íe hányewe^{ie}. "Ganga k'aiwi^e ú^si, nagásbi," nagá^{ie} xa^{wisa}. "K'aiwi^e ók'i," nagá^{ie} xa^{wisa}, yap!a do^{má}s nagà. "Yewe déhi k!iyí^k. Honó^e yap!a do^{mana}, ged? ye^{gwás}bina^e. Yap!a gwala do^{maná}, gas^íe ga^{al} k'aiwi^e ók'i," nagá^{ie} xa^{wisa}.

Gane "Há-u" nagá^{ie}. "K'aiwis^{ie} ogoyíⁿ. Duwu^ék'," nagá^{ie} yap!a do^{má}s. "Wedé gede ye^{gwás}dám, k'aiwi^e ogúsbiⁿ. K!ú^yabadám e^{bik}," nagá^{ie} yap!a do^{má}s. "K'aiwi^e ha^pdi^e más^{ie} honó^e ú^si." Miⁱ honó^e yewé^{ie} xa^{wisa}; miⁱ senésant', guxwí du^{la}le". Yok!oyán miⁱ k'aiwi^e ók'igulugwán. Gwála yap!á. Miⁱ senésant'. "ibi^le ogoyí^e, nagásbi; masí^e t!oco^e ha^pdi^e ú^si, nagásbi." Miⁱ gwenhegwéhôk^w. Miⁱ sga^e dak^{dahá}lk'wa, "Gáhi^e nagá^{ie}." Gane ibi^le ogús^an. Gane há^{ae}ya wát^{gwan} giní^k, gane ogús^an Yap!a do^{má}s da^{gwála} oyōn, a^ks^{ie} t!os^ó ha^pdi^{hì} ogoyín. Gana^{néx} hop!è^{ná} yap!a t!omōxanda^e, k'ai^ela^pas^{ie} honó^e k'ai gwala ogús^an ha^éyá. Xa^{wisa}s^{ie} honó^e k'ai ogoyín, tc!úlx ogoyín; adat^é dumhòk^wda^a ga xebéⁿ, ga tc!olx ogoik^{wa}. Yap!a do^{má}s áni^e k'ai ogoik^{wa}.



(See Dispute on page 10)