



Learning to Live Together in a Good Way

Lessons on Repatriation from Stone T'xwelátse

by David Schaepe
featuring photographs by David Campion

Helen Joe and Th'itsxwelatse (Kurt Joe), carrier of the junior version of the name T'xwelátse, visit their ancestor in the Burke Museum collections. (Photograph: © David Campion 2006)

It is difficult to choose from the many lessons and points of discussion brought out by Stone T'xwelátse and his journey home; which to share in this brief space. Many details mark the circuitous path of the repatriation process leading to Stone T'xwelátse's homecoming celebration last Fall after 114 years of separation from his family and community.



T'xwelátse (Herb Joe) holds his ancestor and name-sake while undergoing preparations for a new base. (Photograph: © David Champion 2006)

SXWÓXWIYÁM
 ('History of the Distant Past')

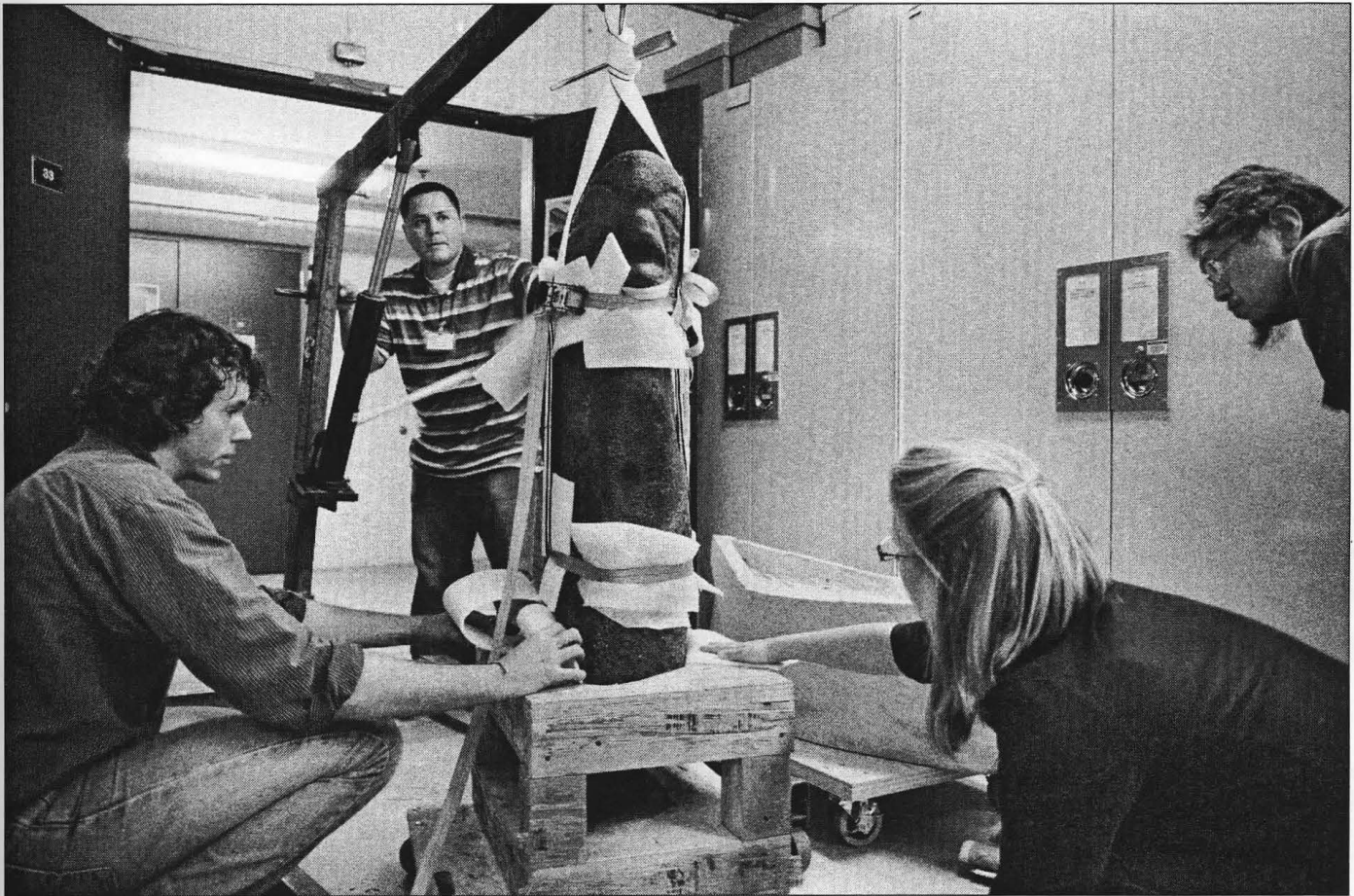
~ In the distant past, in the period of time when the world was 'not quite right' — T'xwelátse was born at the village of Th'ewá:lí along the lower Chilliwack River and became the ancestor of the Ts'elxweyeqw (Chilliwack) Tribe. This sxwóxwiyám was told to Franz Boas by George Chehalis in 1890.

~ Later, one of the inheritors of the name T'xwelátse was turned to stone by Xá:ls:

"Stone T'xwelátse is a transformation of one of the T'xwelátses. T'xwelátse and his wife were on the river bank arguing when Xá:ls happened upon them. Xá:ls, the great Transformer being given the responsibility by Chichel Siya:m for making things right as he traveled through our lands, asked this man and woman if they would consider not arguing and that there were better ways of resolving conflict and resolving problems. As a result of his intervention Xá:ls and T'xwelátse, who was a shaman, decided to have a contest. They tried to transform each other into various things — a salmon, a mink, a twig. Finally, Xá:ls was successful in transforming T'xwelátse into stone. Xá:ls then gave the responsibility of caring for Stone T'xwelátse to T'xwelátse's wife. Stone T'xwelátse was to be brought home and placed in front of their house as a reminder to all of the family that we have to learn to live together in a good way. And the family's responsibility from that point in time was caring for Stone T'xwelátse — given to one of the women of our family. They were to be the caretaker of Stone T'xwelátse throughout their lifetime and would pass it on to one of their daughters or grand daughters who would then be responsible for caring for Stone T'xwelátse for that generation"

— (as told by T'xwelátse [Herb Joe], recorded by Dave Schaepe, 2003).

The human remains of T'xwelátse in his granite form as the Stone T'xwelátse retain his life force (shxweli) and soul (smestiyexw) as an ancestor. The Stó:ló recognize him as both an 'Object of Cultural Patrimony' and ancestral 'Human Remains' as defined in NAPGRA., while the U.S. government recognizes his inclusion in only the first of these categories.



Dave Schaepe (SRRMC), George Swanaset, Jr. (Nooksack Tribe), Megon Noble (Burke Museum), and Albert 'Sonny' McHalsie (SRRMC) delicately lift 500 pound Stone T'xwelátse from his old housing. (Photograph: © David Campion 2006)

This celebration was highlighted in a previous edition of *The Midden*. The blazes left marking this path may be of use to others who find themselves on a similar journey. The details of this fifteen year-long process describe the stumbling blocks of international law affecting First Nations 'recognition' as overcome by the strength of individual and collective character exemplifying patience, persistence, cooperation, family connection, sharing of knowledge, trust, and relationship building. Fascinating points of history and cultural values converged and emerged from the research proving Stone T'xwelátse's identity as an "Object of Cultural Patrimony" under the Native American Graves Protection and Repatriation Act (NAGPRA). Points of customary indigenous law surfaced and were recognized in addressing issues of ownership and "Right of Possession" central to repatriation under NAGPRA. The success of this endeavor, the achievement of a life's dedication for some, is serving now to re-activate Stone T'xwelátse's primary teaching -- "we must learn to live together in a good way" -- within and beyond the Stó:l̓ community. This profound message, voiced from a period of the distant past, now resonates in a critical time of long-standing native-newcomer relations that requires reconciliation and healing. Repatriation efforts resulting in positive changes

SQWELQWEL
 ("True Facts / Personal History")

- Early-to-Mid 1800s — T'xwelátse was "a great warrior" and the uncle of the remarkable twins Willíléq the sixth and Lumlamelut. Willíléq the Sixth governed the Ts'elxwéyeqw Tribe. "When the leader died it was the uncle who took over. That was the first time that there was a change. This other leader's name was T'xwelátse ...When he died the tribe started to divide. This family was large, in the hundreds and all over the place" (as told by Bob Joe; recorded by Norman Lerman, 1950).
- Early-to-Mid 1800s — Stone T'xwelátse was transferred from the vicinity of Chilliwack to a Semá:th village near Sumas Lake on the Sumas Prairie. This movement was tied to the arrangement of a marriage between high status families of the Ts'elxwéyeqw and Semá:th tribes — as a means of ending a dispute between the two tribes. Following traditional protocol, Stone T'xwelátse went with the Ts'elxwéyeqw bride as she relocated to her newly wed Semá:th husband's village on the Sumas Prairie.



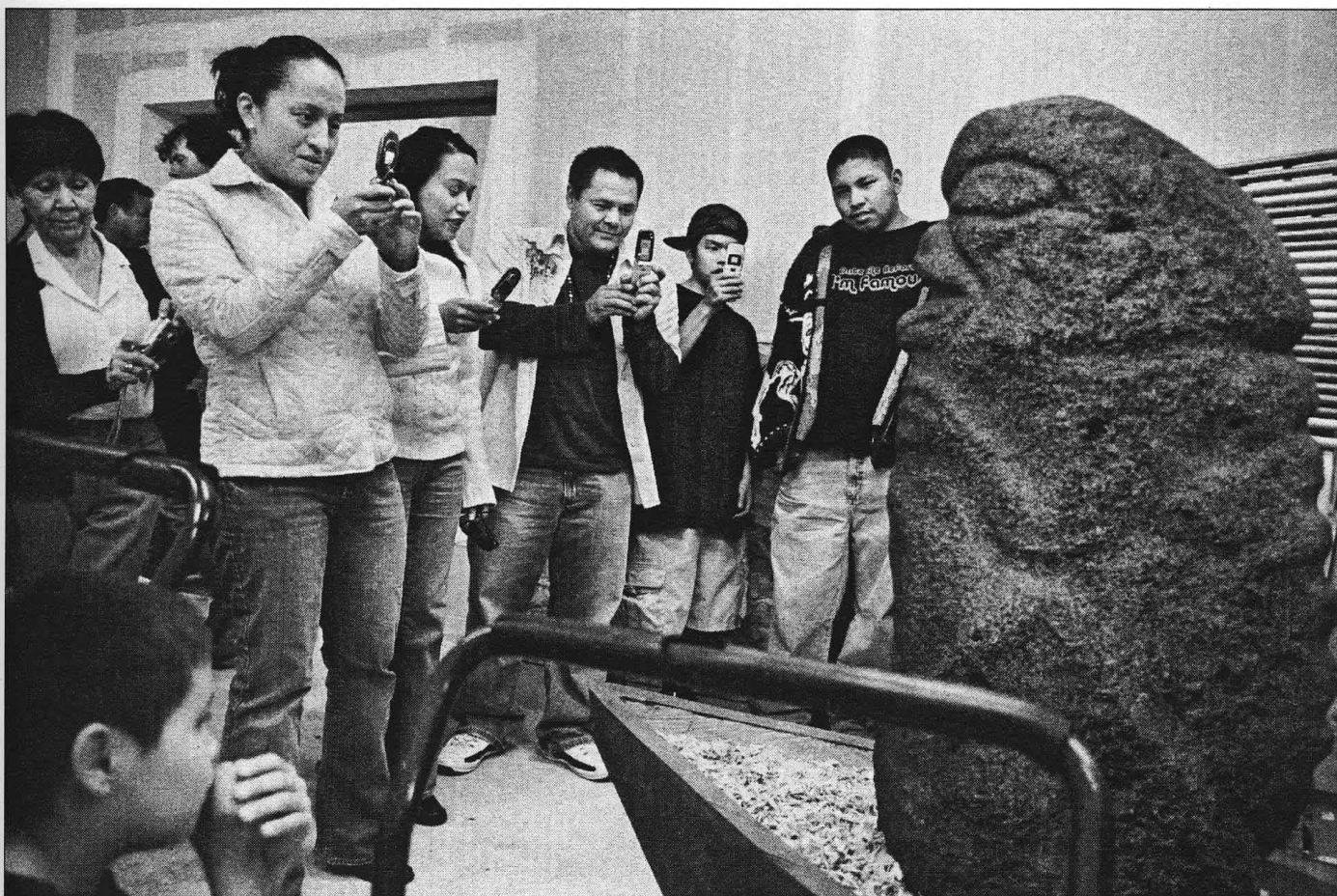
Young members of the extended family, including Herb Joe, Jr., Clarence Joe (right), and Brandon Williams (left) are among those that accepted Stone T'xwelátse from officials at the Burke Museum who officially returned him to the Family by way of the Nooksack Tribe on October 2, 2006. (Photograph: © David Campion 2006)

in relations between indigenous communities and museums is, perhaps, one manifestation of this teaching. Developing legislation that serves to more fully recognize and respect the diversity of cultural heritage shared in this province may be, perhaps, another -- working out voids and gaps in understanding between cultures.

The profoundness of this experience would surely meet a woefully inadequate end in an abstract of written words. Rather, I offer access to the 'Stone T'xwelátse Repatriation Report & Supplement I' (Schaepe 2005; Schaepe and Joe 2006) as the combined document supporting the actions of T'xwelátse (Herb Joe) and his Family in bringing their ancestor home. This document provides a framework that some may find useful in 'approaching and addressing NAGPRA (or other types of) repatriation claims; also for surmounting the 'international obstacle' as Herb and his family achieved by way of defining and activating their genealogical tree, the branches of which arched over and across the U.S.-Canada boundary between Chilliwack and Nooksack. Copies of this report can be obtained by request via my contact information, below.

Far more evocative of the range and depth of meanings of

- 1858-59 — the establishment of the International Boundary Commission and the surveying of the border separating the United States and Canada cut through the interconnected Nooksack and Stó:lō communities surrounding Sumas Lake (particularly Ts'elxweyeqw, Semá:th, and Máthequi).
- In 1884 — the young Stó:lō boy Louie Sam was lynched by a mob of American vigilantes near the international border between the town of Nooksack and Sumas Lake. The lynching of Louie Sam and subsequent lynching of Jimmy Poole of Semá:th motivated the movement of Stó:lō peoples away from the U.S.-Canadian border in the vicinity of the Sumas Prairie for fear of repeated vigilantism. Out of fear, people left that place and moved to live with relatives in the surrounding area. Stone T'xwelátse — weighing approximately 600-800 pounds — was left behind to await their return. Traditional customary law and "right of possession" to this ancestor remained intact even during this period of turbulence and absence. The lynchings of Louie Sam and Jimmy Poole are seen as tragic historical events that played a significant role in setting the stage for the loss of the Stone T'xwelátse to the Nooksack-Stó:lō community.



Stone T'xwelátse is greeted by his descendants and fellow community members after arriving at the Nooksack Tribe Community Hall. (Photograph: © David Campion 2006)

this process are the images of photographer David Campion. David and his partner, writer Sandra Shields, joined T'xwelátse, his Family, and me on this journey following the Burke Museum's notice to us of their intent to repatriate this stone ancestor in March of 2006. Selecting from David's many fantastic photographs proves as difficult as choosing from among the many issues surrounding Stone T'xwelátse's homecoming. David's images presented here mark significant events and elicit a deeper sense of the history leading to Stone T'xwelátse's journey home from the Burke Museum through the Nooksack Tribe and into the hands of his immediate Family and Stó:lō community at the Semá:th Longhouse as celebrated on October 14, 2006.

- 1892 — Stone T'ixwelátsa is taken by local non-Aboriginal farmers. The Chilliwack Progress reports that a 'curiously carved Indian statue' was found by the Ward Brothers on the Sumas Prairie on the south side of Sumas Lake in the vicinity of the old Semá:th village near the international border. Subsequent accounts report that Stone T'ixwelátsa was moved into Washington State and sold for display in a 'dime-store' museum in Sumas, Washington.
- c. 1899 — Stone T'xwelátse is acquired by the Young Naturalists Society — the founding society of the Washington State Museum (which became the Burke Museum in 1962). Stone T'xwelátse remained in the care of the Young Naturalists Society / Burke Museum staff over next 100 years; separated from his family and community for 114 years (1892-2006).
- 1973 — The Nooksack Tribe in Washington State gains U.S. federal recognition.



An honor song is leads Stone T'xwelátse's processing into the Semá:th Longhouse at Kilgard, B.C. — with name-bearer T'xweltel (Kelsey Charlie) at the front-right and Xwelixweltel (the Honorable Steven Point) at center-left. This longhouse, offered up for the event by Xeyteleq (Ray Silver, Sr.), was recently built using funds received in compensation for the alienation of the reserve-land that once held the village from which both Louie Sam and Stone T'xwelátse were taken. (Photograph: © David Campion 2006)

REPATRIATION EFFORTS BEGIN

- 1992 — T'xwelátse (Herb Joe) finds out that his ancestor is at the Burke Museum. He contacts the Burke Museum regarding the repatriation of the Stone T'xwelátse; with support from the T'xwelátse Family among the Nooksack Tribe. Contacts at the Burke Museum suggest awaiting the completion of the U.S. federal 'Native American Graves Protection and Repatriation Act.'
- 1992 — United States 'Native American Graves Protection and Repatriation Act' (NAGPRA) is enacted — recognizing 'sacred objects,' 'human remains,' 'funerary objects,' and 'objects of cultural patrimony' as potential objects of repatriation that can be claimed by 'federally recognized American Indian Tribes.' 'Canadian' First Nations are not recognized.
- May 16, 1992 — T'xwelátse, Helen Joe, Grand Aunts Rose Roberts and Nancy Phillips, and members of the Charlie family — Willie, Kevin, Pat — and Gerald Phillips visit Stone T'xwelátse at the Burke Museum — reconnecting with him for the first time in exactly 100 years. Numerous follow-up visits are made over the next decade — with many relatives visiting him.
- 1992-2006 — T'xwelátse and Family continue repatriation efforts over the next decade; supported by the staff at the Stó:lō Nation and aided by many others. During one visit, Rose Roberts and Nancy Phillips suggest that Museum staff cover Stone T'xwelátse with a sheet or blanket each night — putting him to bed. Museum staff make this protocol a regular part of their care-taking efforts.
- 1996 — The Nooksack Tribal Senate supports the request made on behalf of the T'xwelátse Family to sponsor their repatriation request.
- 2001 — Stone T'xwelátse is featured in the publication *A Stó:lō-Coast Salish Historical Atlas* (Schaepe 2001) as a means of drawing public attention to this issue.
- 2002 (February) — T'xwelátse and Schaepe re-establish contact with the Burke Museum following George McDonald's replacement of Karl Hutterer as Director.



Name-bearers (R-L) T'xwelátse (Herb Joe), T'xwelátse (Simon Roberts), T'ixwelwit (Eleanor Joe), and T'ixweláthia (Kayla Malloway) stand before their ancestor Stone T'xwelaste (note: the two carriers of the name T'ixwelwit — Kelsey Charlie and Kelsey Charlie Jr. — are not pictured). (Photograph: © David Campion 2006)

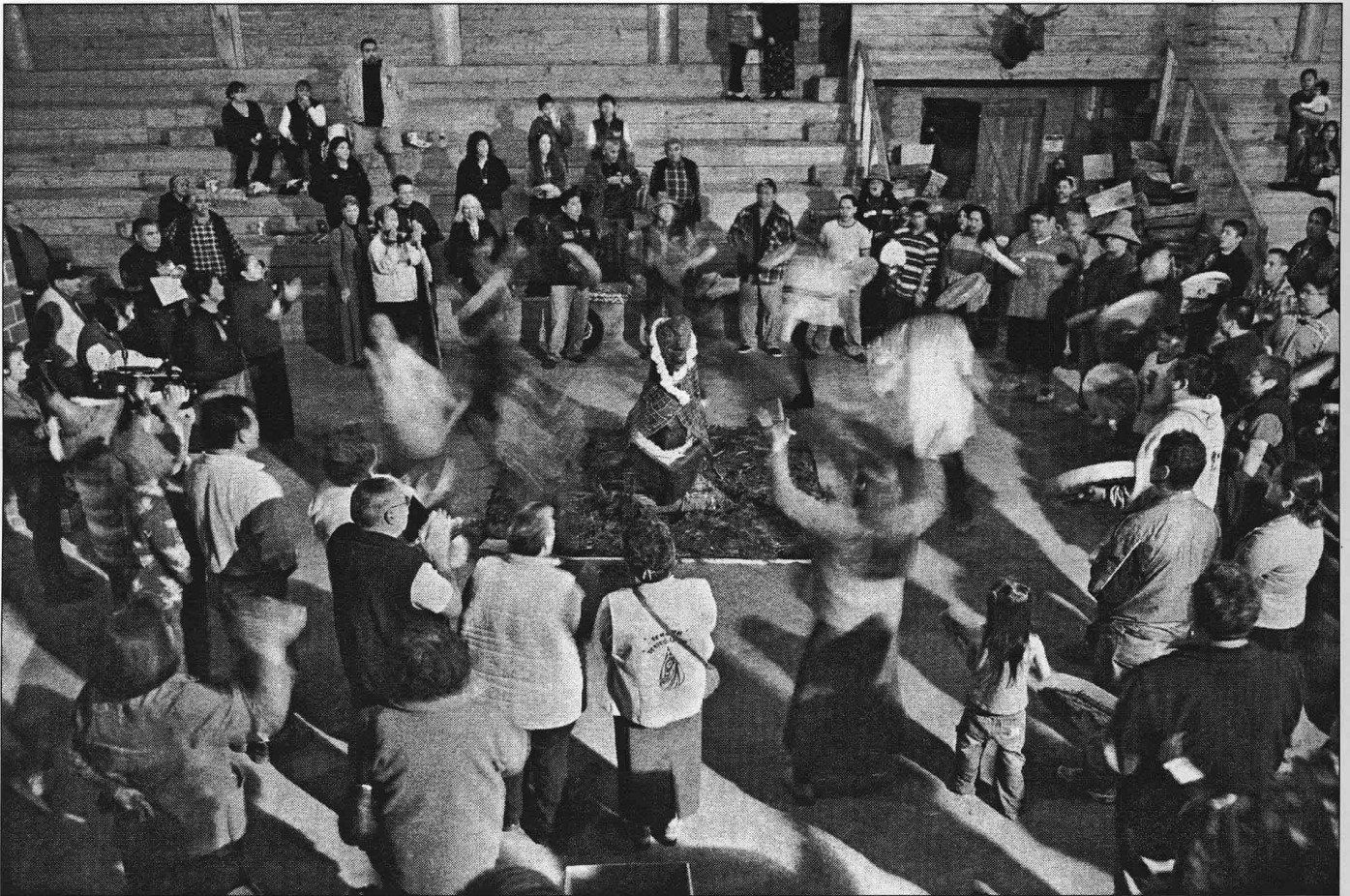
- 2003 (January) — T'xwelátse and Schaepe meet with Dr. McDonald and Dr. Peter Lape at the Burke Museum to discuss the repatriation process.
- 2003 — The T'xwelátse Family reconnects with the Nooksack Tribe and gains support from the current Nooksack Tribe Cultural Committee and Executive Council to host the NAGPRA repatriation request. This process is backed by the Stó:l̓ Tribal Council, Stó:l̓ Nation, Ch-ihl-kway-uhk Tribe, and Stó:l̓ House of Elders. Work begins on the repatriation report substantiating the Family's claim.
- 2003-2006 — the Nooksack Cultural Committee meets regularly with Joe and Schaepe to review and discuss the NAGPRA repatriation plans.
- October 14, 2005 — The Nooksack Tribe submits the official repatriation claim (Stone T'ixwelátsa Repatriation Report) to the Burke Museum for the Stone T'xwelátse under NAGPRA, section 7(a)(1) pertaining to "Native American 'human remains'" and section 7(a)(5) pertaining to "objects of cultural patrimony". The request is supported by the leadership of the Stó:l̓ Tribal Council, Stó:l̓ Nation, Ch-ihl-kway-uhk Tribe,

and House of Elders. The claim is received by Dr. Julie Stein — current Director of the Burke Museum, Dr. Peter Lape (Curator of Archaeology), and Megon Noble (NAGPRA Coordinator / Asst. Curator of Archaeology).

- January 9, 2006 — The Burke Museum responds to the Nooksack claim with a request for clarification.
- February 16, 2006 — A follow-up report (Stone T'ixwelátsa Repatriation Report - Supplement I) is prepared and submitted by the Nooksack Tribe to address the Burke's questions.

ACCEPTANCE OF THE NAGPRA CLAIM

- March 2, 2006 — Dr. Lape writes that the Burke Museum accepts the Nooksack Tribe's repatriation claim and begins preparing the federal 'Notice of Intent to Repatriate' the Stone T'xwelátse as an "Object of Cultural Patrimony" — a first for the Burke.



Stone T'xwelátse's return home on October 14, 2006 is celebrated by a gathering of over 600 people at the Semá:th Longhouse. (Photograph: © David Campion 2006).

- April 2006 — T'xwelátse and Schaepe connect with photographer David Campion and his wife Sandra Shields, a writer, who begin documenting the repatriation process.
- July 2006 — Xeyteleq (Ray Silver) volunteers the Sumas First Nation Longhouse for the location of the return celebration.
- August 18, 2006 — 'The Notice of Intent to Repatriate a Cultural Item' by the Burke Museum is published in the U.S. Federal Register / Volume 71. No. 160, Page 47829.
- August 18, 2006 — the T'xwelátse Family meets at the Nooksack Community Hall to begin planning the celebratory events; dates are set for the gatherings.
- August 29, 2006 — a new base — modeled after a Coast Salish Canoe — is commissioned for Stone T'ixwelátse's journey home and carved by Mark Point of Skowkale First Nation.
- October 2006 — the Nooksack Tribe Executive Committee passes a resolution "to complete its commitment to aid the T'xwelátse family (the Family) in repatriating their ancestor — Stone T'xwelátse — from the Burke Museum....As executor of the Native American Graves Protection and Repatriation Act request... the tribe shall support the family in receiving the Stone T'xwelátse from the Burke Museum. Direction for receiving their ancestor will be provided by the Family elders in accordance with traditional customary law derived from the T'xwelátse *sxwóxwiyám* — as maintained through many generations

of care-taking responsibility. The Tribe completes its participation in this process by witnessing the return of the Stone T'xwelátse to his Family."

CELEBRATING T'IXWELÁTSA'S RETURN

- October 6, 2006 — Burke Museum Celebration — the Burke Museum turns over possession of stone T'xwelátse to the T'xwelátse family of the Nooksack Tribe.
- October 9, 2006 — Nooksack Tribe Community Celebration — the Nooksack Tribe celebrates the return of Stone T'xwelátse to their community, as members of the T'xwelátse Family and hosts of the repatriation process.
- October 14, 2006 — Sumas Longhouse Gathering — the T'xwelátse Family and broader Stó:lō-Nooksack community celebrate the return of Stone T'xwelátse — and his teachings — to Stó:lō territory after 114 years of separation.
- Stone T'xwelátse will be provided a new home at the Ch-ihl-kway-uhk Tribe's Stiheyáq Healing and Wellness Centre, currently being designed and built in the Chilliwack River Valley, near Centre Creek — very near where T'xwelátse was transformed by Xá:ls. The Ch-ihl-kway-uhk Tribe is currently hosting Stone T'xwelátse in their recently remodeled Tribal Headquarters in Chilliwack/Vedder until he can be transferred to the Healing Centre.

References Cited

- Schaepe, David
2005 Stone T'xwelátse Repatriation Report. Unpublished report prepared for the Nooksack Tribe, on file at the Stó:lō Nation Archives, Chilliwack B.C.
- Schaepe, David and T'xwelátse (Herb Joe)
2006 Stone T'xwelátse Repatriation Report — Supplement I. Unpublished report prepared for the Nooksack Tribe, on file at the Stó:lō Nation Archives, Chilliwack B.C.

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David Campion's award-winning photography has appeared in publications in North America, Europe and Africa. He is married to writer Sandra Shields and they are the authors of two documentary books *The Company of Others* and *Where Fire Speaks* which won the Hubert Evans Award for Nonfiction. His website is: www.fieldnotes.ca.
