



Louisiana Archaeological Society

NEWSLETTER

RICHARD A. WEINSTEIN, Newsletter Editor

COASTAL ENVIRONMENTS, INC. BATON ROUGE, LOUISIANA 70802

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FROM THE PRESIDENT

I would like to announce, with regret, that Bob Neuman has submitted his resignation as L. A. S. Bulletin Editor. He will leave the office as of the annual meeting in 1995. The Executive Committee joins me in thanking Bob for all of his efforts and excellent work as L. A. S. Editor from 1984 to 1994. Jon Gibson has agreed to serve as our interim editor for six months beginning in February in order to enable the Executive Committee enough time to elect a permanent editor. Good luck, Bob! I hear you are taking a gentleman's retirement and plan to relax a bit and enjoy the great outdoors. It's a tough job but, well, you know...

In regard to the L. A. S. Bulletins, I also would like to report that Nos. 16 (for 1989) and 17 (for 1990) have been paid for, and should be out shortly. That leaves only Nos. 18 (for 1991) and 21 (for this year, 1994) still to be printed. We are finally catching up!

The Louisiana State Archives in Baton Rouge will be the home of the L. A. S. archival collection. Donald LeMieux has generously agreed to house our collection there, and to supply the L. A. S. with boxes and shelving. Our grateful thanks to Donald! Ray Fredlund will head up the Archival Committee and will be collecting data at the annual meeting in Natchitoches, so please bring whatever you might have worth saving to Ray at the meeting. If you should choose to mail it

to Ray, his address is 2800 July St., Baton Rouge, Louisiana 70808.

Plans for the L. A. S. Workshop, which was to have been held in Marksville and scheduled for October, could not be worked out this year. Dennis Jones and Carl Kuttruff worked diligently to put the workshop together, but, because of a series of unfortunate circumstances, the L. A. S. was denied access to the property. Thanks, guys, for all of your efforts and, hey!, there's always next year.

The trip to Mexico is on! Enough folks have signed up for the trip to make it happen. If you have questions, call Dr. Joe Miller at (504) 737-0324 in New Orleans. So...Olé! and Guacamole! (That's the extent of my Spanish; I sure hope someone in our group will not mind leading me around a little bit.)

That's about it for now....See you in Natchitoches.

Linda Jackson
L. A. S. President

FROM THE EDITOR

This is another relatively brief newsletter. Although I had noted a lack of articles and notes in the last newsletter, and the hope that folks would send in information concerning their recent summer exploits, the membership has not responded with any additional sub-

missions. Unfortunately, there is only so much "filler" material available. After that I must rely upon members' submissions. If none arrive, there is not much more that I can do except to put out a skimpy issue.

Regardless of the above, there is at least one critical note in this issue regarding the upcoming L. A. S. Annual Meeting in early February in Natchitoches. By now most 1994 members should have received a separate mailing concerning the meeting. The information in that mailing is repeated in this newsletter for anyone who may have joined the society too late to have received the mailing. Jeff Girard reports that there are still plenty of slots open for presentations, so if you are thinking of giving a paper, please submit your title and abstract to Jeff.

Also, please review the minutes of the last Executive Committee Meeting, particularly the discussion regarding the possibility of making it mandatory for all members of local chapters to be members of the L. A. S. There will be additional discussion on this subject at the annual business meeting, and input from the membership is needed. See you in Natchitoches.

Rich Weinstein
Newsletter Editor

1995 L. A. S. ANNUAL MEETING

The 1995 L. A. S. Annual Meeting will take place from Friday, February 3, to Sunday, February 5, 1995, in Natchitoches, Louisiana. The paper presentations will be at Kyser Hall on the campus of Northwestern State University on Saturday and Sunday. There also will be a wine and cheese reception Friday night at the Student Union, and a banquet Saturday night that will feature John Barbry, former archivist at the Smithsonian Institution and a member of the Tunica/Biloxi tribe.

Several local motels have agreed to conference discount rates, while other nearby motels also are available. Please see the attached information and forms regarding regis-

tration, motel accommodations, and presentations.

L. A. S. ARCHIVES

As noted above, Linda Jackson, L. A. S. President, reports that Ray Fredlund of the Baton Rouge Chapter has agreed to serve as head of the Archive Committee that will be responsible for organizing and cataloguing L. A. S. archival material. As a follow-up note to that announcement, Linda has asked that anyone wishing to submit archival material may bring it to the annual meeting in Natchitoches, rather than mailing it to Ray. Of course, if you are not planning to attend the meeting, you still may mail your material to Ray at the following address:

2800 July St., #36
Baton Rouge, LA 70808
Tel.: (504) 336-0106

L. A. S. SPEAKERS BUREAU

Again, as mentioned in the last two newsletters, the L. A. S. has established a Speakers Bureau consisting of those individuals who are willing to attend local chapter meetings to present papers, slide shows, discuss their latest finds, etc. The L. A. S. will then reimburse local chapters up to \$100.00 per year for travel expenses incurred by their speakers.

Unfortunately, the Speakers Bureau has received information from only two individuals who have volunteered to participate in the bureau. Obviously, we need more speakers if the bureau is to become a viable part of the society. If you have been thinking about submitting your name, but are one of the many who has yet to do so, please provide either Donita Burton, L. A. S. Secretary, or Linda Jackson, L. A. S. President, with the topic(s) that you are willing to present, along with any travel or time restrictions that you might have. The addresses for Donita and Linda are listed on the back page of the newsletter.

**MINUTES OF THE L. A. S.
EXECUTIVE COMMITTEE MEETING**

**Percy Quinn State Park
McComb, Mississippi
September 10, 1994**

**Reported by
Maureen Downey
Acting L. A. S. Secretary**

The L.A.S. Executive Committee Meeting was held at Percy Quinn State Park, Cabin #8, in McComb, Mississippi, on September 10, 1994. Members present were:

Linda Jackson — L. A. S. President,
Delta Chapter
James Fogleman — L. A. S. President
Elect, Morrow
David Jeane — L. A. S. Treasurer,
Northwest Chapter
Rich Weinstein — L. A. S. Newsletter
Editor, Baton Rouge Chapter
Robert Neuman — L. A. S. Bulletin
Editor, Natchitoches
Maureen Downey — Delta Chapter
Representative
Dennis Jones — Baton Rouge Chapter
Representative
Dan Shipman — L. A. S. At-Large
Representative, Delta Chapter
Nancy Affeltranger — L. A. S. Past
President, Central Chapter
Harold Brice — Northwest Chapter
President
Carl Kuttruff — Baton Rouge Chapter
Newt Jackson — Delta Chapter
Charles Affeltranger — Central Chapter
Agnes Fogleman — Morrow

Linda Jackson called the meeting to order at 11:05 a.m. In the absence of Donita Burton, L. A. S. Secretary, the minutes of the last Executive Committee Meeting were read by Maureen Downey. Linda Jackson questioned if she had been the person to suggest creation of the Speaker's Bureau, as stated in the minutes. It was agreed that she had made the suggestion. Dan Shipman made the motion to accept the minutes as read. Rich Weinstein seconded. Motion carried.

Reports

David Jeane gave the Treasurer's report. On August 31, 1994, the L. A. S. treasury contained \$16,433.50. This amount includes \$6,802.59 in checking, and the remainder in savings. His report showed the only large expense during the last period to be the last newsletter, which he announced was now being printed by a different company at approximately \$100.00 less than the previous cost. Nancy Affeltranger made the motion to accept the treasurer's report. Jim Fogleman seconded and the motion carried.

David Jeane reported that Brian Duhe, former L. A. S. Treasurer who pleaded guilty to theft of L. A. S. funds, was behind five of his reimbursement payments for 1994. The society is scheduled to receive \$170.00 each month for several years to come. Payments made during 1994 are as follows:

February 18, 1994	\$100.00
February 22, 1994	70.00
April 6, 1994	170.00
May 24, 1994	170.00
June 27, 1994	<u>170.00</u>
Total Payments	<u>\$680.00</u>

David provided the Committee with a copy of a letter from an L. A. S. member requesting a report in the newsletter on the status of the Duhe payments. David also provided the Committee with a copy of a letter from him to Mr. Robert L. Enox, Brian Duhe's parole officer, and of Mr. Enox's reply in which Mr. Enox stated that every effort would be made to collect monies owed to the society. Dennis Jones suggested that a phone call to Mr. Enox, requesting more precise information, might be in order. Rich Weinstein stated that a letter would probably be better. Discussion followed as to whether any further steps should be taken at this time. It was decided that a letter would be written by David Jeane asking Mr. Enox to provide the society with more detailed information and a timetable regarding the state's tracking of Mr. Duhe's reimbursement payments. The Committee will then decide if further action is necessary.

The membership report given by David Jeane showed that, as of September 9, 1994, there are 247 L. A. S. members. There were 97 members who had not renewed their 1994 memberships as of this date. The newsletter cannot continue to be sent to persons if they do not renew their memberships. Rich Weinstein placed a reminder in the last newsletter which had little result, so David Jeane has sent reminder letters to these 97 individuals.

Ideas on how to boost membership renewals were discussed. David Jeane noted that Archaeology Week usually brings in approximately 30 new members. There followed a discussion of the pros and cons of dual membership for L. A. S. and local chapters. Dennis Jones made a motion to announce in the next newsletter that dual membership will be on the agenda at the annual meeting in 1995. Any and all input is welcome. (Dual Membership = You must be an L. A. S. member to be a local chapter member. You can, however, belong only to the L. A. S.) Bob Neuman seconded the motion. Motion carried. In the meantime, individual chapters are asked to encourage their members to join the L. A. S.

As an aid to increasing membership, Dan Shipman made a motion that new brochures for the L. A. S. be produced. Dennis Jones will submit a new brochure to the Committee and, upon approval by the Committee, the new brochures will be made available at the annual meeting. The motion was seconded by Jim Fogleman. Motion carried.

As reported in the latest newsletter, only two individuals have volunteered to participate in the Speakers Bureau. Another request for speakers will be placed in the next newsletter. Dennis Jones suggested a letter be sent to specific people asking them to participate in the Bureau. Motion was made by Dan Shipman that Dennis Jones and Rich Weinstein write the letter. David Jeane seconded the motion. Motion carried. An attempt will be made to have a speakers list by the annual meeting.

There was discussion on how to revive lost chapters. A motion was made by Dennis

Jones that the student organizations that exist in some areas be approached to see if they would like to join the L. A. S. and if so, if they would allow members other than students in their chapters. Motion was seconded by Harold Brice. Motion carried. Rich Weinstein will talk to the USL student organization and Kass Byrd will be asked about the chances of forming a chapter in the Natchitoches area.

Bob Neuman gave the L. A. S. Bulletin report. Bulletin No. 16 (for 1989) was sent to the printers two weeks ago but, due to a backlog at the printers, it has not been printed yet. It will be out as soon as possible. The bulletin for 1990 (No. 17) will also be out soon.

The Committee would like to dedicate the next bulletin to Bill Haag as a way of honoring him for all he has done for the L. A. S. and Louisiana archaeology. The bulletin would contain half technical articles by Bill's ex-students and half anecdotes and reminisces. Hopefully, this bulletin would come out in the spring of 1995. Bob Neuman will contact Bill Haag in regard to this, and will ask Jon Gibson if he will act as editor for the volume.

Bob Neuman announced that after the 1990 bulletin is completed, he will retire as Bulletin Editor. Any articles he has at that time will be turned over to the next editor. Jon Gibson has volunteered to be Interim Editor until a new Bulletin Editor has been selected. T. R. Kidder and Rebecca Saunders have both agreed to be considered for the position. A motion was made by Dennis Jones that an announcement be made at the annual meeting regarding Bob Neuman's retirement as Bulletin Editor at that time, and that Jon Gibson will serve as Interim Editor for no more than six months. It will also be announced that the Executive Committee will consider any additional applications for the position and will make a decision at the April 1995 Executive Committee Meeting. This motion was seconded by Bob Neuman and carried.

Old Business

As announced in the last newsletter, the L. A. S. is planning to conduct another field project at the Marksville site in 1994 directed

again by Dr. Carl Kuttruff and Dennis Jones. Dennis reported possible problems with the site selected (Enclosure B) for the project. These problems will hopefully be resolved soon. The dates announced in the newsletter will also be changed to a week later. Dennis and Carl submitted the results of the 1993 Field Project to the Committee. Jim Fogleman made a motion that the report be released as an L. A. S. Field Project Report, and that some time in the future the combined 1993 report and the report from the 1994 Field Project be released as a special publication. Bob Neuman seconded the motion. Motion carried.

Linda Jackson reported that Ray Fredlund of the Baton Rouge Chapter has agreed to serve as head of the Archive Committee. Unfortunately, Linda has now received a letter from Claudia Holland at the Division of Archaeology which says that, at present, the Division does not have room for the L. A. S. archives. At the suggestion of Claudia Holland, Linda will check with the Louisiana State Archives office.

New Business

Nancy Affeltranger passed out copies of the L. A. S. by-laws. These copies did not include the newest change made at the last annual meeting, however, and updated by-laws will soon be available.

David Jeane had copies of newsletters from several archaeological societies in other states. The Committee would like to make them available to the members. Dennis Jones will check with Hill Memorial Library at LSU to see if they could house them for the L. A. S.

Linda Jackson thanked the members for attending the meeting. Rich Weinstein made a motion to thank Newt Jackson for the delicious food that he had cooked for lunch during the meeting. This motion was passed unanimously. There being no further business, the meeting was adjourned by President Linda Jackson at 2:45 p.m.

CHAPTER NEWS Northeast Chapter

**Reported by
Claire Davis**

The September meeting of the Northeast Chapter was held on the 15th of the month. David Griffing presented a program on the Insley site, a Poverty Point period locale situated at the junction of Joe's Bayou and Bayou Maçon, and new officers were elected. It also was noted that the Northeast Louisiana Archaeological Society, represented in the L. A. S. by the Northeast Chapter, is 32 years old and still going strong.

The October meeting was held on the 20th of that month. Dr. Shirlee Owens of NLU presented a program showing how the disciplines of archaeology, sociology, and anthropology have made contributions to the study of people across the world.

The November meeting, held on the 17th of the month, featured Dr. Russ Williams, recently retired history professor from NLU. Dr. Williams is an expert on the history and genealogy of the Ouachita region, and is currently writing another book on the topic.

Lastly, the chapter is trying to find ways for an agency or organization, such as the Archaeological Conservancy or the Louisiana Archaeological Conservancy, to gather funds to purchase the Motley Mound. Anyone with ideas on how to achieve this goal should contact Claire Davis at 816 Rimes Circle E., Monroe, Louisiana 71201, or call (318) 325-0782.

Central Chapter

**Reported by
Ellis Denning**

Two projects are receiving our attention at present: (1) Archaeology Week at the Alexandria Mall and (2) the Tyrone Plantation project on Bayou Rapides.

Several tables will be set up at the Mall to exhibit central Louisiana artifacts, demon-

strate hole drilling in wood and stone, and ceremonial articles used in dancing. Local Native dancers will also perform. Recruiting new members will be emphasized, as well.

Two 50-by-50-cm-square pits, each 50 cm deep, have been excavated on the natural levee of Bayou Rapides, on land that is being condemned by the state to replace an out-dated bride. Both pits were barren; however, some evidence of reworked soil was observed. The foundation perimeters of the carriage house and kitchen have been roughly mapped. The carriage house was two square buildings separated by a carriage-way contained under one gable roof. The structure was two stories high, with equipment stored on the left-hand side and a smoke house on the right. The wall bricks (slave made) were sold some 30 years ago by Col. Donaldson to Harry Thibodeaux, so the latter could build his beautiful home in Ball, Louisiana. The kitchen foundation was probed out, and has roughly the same dimensions as the carriage house.

Frank Servello, archaeologist in charge, is guiding our chapter. The next step of research is expected to be a metal-detector survey of the entire 4.5 acres of the remaining property.

NATIVE PEOPLES OF LOUISIANA ROOM

**Reported by
Sue Olin**

L. A. S. members Sue and Loyd Olin and Cecil and Anna Duplantis of Houma wish to invite everyone to view the newly completed "Native Peoples of Louisiana Room" at the Southdown Plantation House Museum on St. Charles Street in Houma. The room features the Houmas tribe and the prehistory of Terrebonne Parish. The group wishes to thank all of those who helped with the project, with special thanks to Richard Weinstein, Dr. William Haag, and Robert Neuman.

ATLATL CONTEST AND CLINIC

Atlatl competition will be held at the Louisiana State Commemorative Area in Marksville, Louisiana, at 1:00 pm on April 1, 1995. Competition is open to all who wish to participate.

There will also be a clinic at 9:00 am where newcomers to the sport will be shown how to make and use their very own atlatl and dart. The clinic will be limited to 15 participants and to those 10 years of age or older. Participants must provide their own pocket knife or equivalent. Register for the clinic by contacting the Marksville State Commemorative Area. For additional information, contact either:

Ward Zischke
Marksville State Commemorative Area
700 Martin Luther King Drive
Marksville, Louisiana 71351
(318) 253-8954

or

Lloyd Pine
5858 Berkshire
Baton Rouge, Louisiana 70806
(504) 926-5785

UPCOMING MEETINGS

1995 Caddo Conference

The 1995 Caddo Conference will be held March 23-25 at the Commons Building at the J. J. Pickle Research Campus (formerly the Balcones Research Center), at the University of Texas at Austin. Paper sessions are scheduled for Friday and Saturday, March 24 and 25. On Friday, there will be a reception at the historic Moore-Hancock Farmstead in Austin. On Saturday evening, we will have a barbecue dinner at the popular Salt Lick restaurant located in the hill country outside of Austin (bus transportation will be provided for out-of-town attendees). The Caddo Cultural Club will perform traditional Caddo dances at the Salt Lick before and after dinner.

Due to an already very strong demand for hotel accommodations in Austin in March, we have reserved several blocks of rooms at three nearby motels (see attached motel information). Late efforts to reserve rooms will encounter higher prices if rooms are even still available. It is strongly recommended that those planning to attend should make their motel reservations as soon as possible.

Also in this newsletter is a participant registration/abstract form for those wishing to present papers and/or preregister. Those needing tables for book sales should indicate so on the registration form. Please submit completed forms as soon as possible to:

Dr. Darrell Creel
Texas Archeological Research Laboratory
J. J. Pickle Research Campus
The University of Texas at Austin
Austin, Texas 78712-1100

Additional information may be obtained from Creel at the above address or by calling (512) 471-6007.

NEW PUBLICATIONS

Waterways Experiment Station, Cultural Resources Chapters

Chapters on cultural resources highlight two new reports from the U.S. Army Corps of Engineers, Waterways Experiment Station. Both Earth Resources Stewardship at Department of Defense Installations, and Legacy Earth Resource Workshop are available by contacting Lawson Smith, Geotechnical Laboratory, USAE Waterways Experiment Station, 3909 Halls Ferry Road, Vicksburg, Mississippi 39180-6199. Tel: (601) 634-3153.

SAA Directory of American Archaeology

For the first time in its 60-year history, the Society for American Archaeology (SAA) has published a directory of members and information sources on archaeology in the

Americas. Also included is information about the society, together with its by-laws.

The 192-page *Archaeologists of the Americas* features names and addresses of the society's members, plus invaluable appendixes with lists of contacts in Canada, Latin America, and the United States, representing academic programs in archaeology; organizations with related interests; government entities dealing with archaeological issues; museums and research organizations; and, in the United States, consulting archaeologists, as well as state archaeologists and historic preservation officers.

The annual directory is available by prepaid order (check or charge) and sells for \$39.95 plus \$5.00 shipping and handling. Write to Archaeologists of the Americas, SAA, 900 Second Street NE #12, Washington, D.C. 20002, or call (202) 789-8200 for further information.

SAA HONORS UTAH SHERIFF

Seth Rigby Wright, sheriff of San Juan County in Utah, received special awards from the federal Department of the Interior and Department of Justice on September 20, for his role in tracking down and apprehending a trafficker in archaeological artifacts.

The awards were presented in Breckenridge, Colorado, during a conference "Save the Past for the Future," convened by the Society for American Archaeology (SAA) to study ways to curtail archaeological looting on public lands.

Wright's knowledge of Utah's archaeological sites and unique circumstances of the crime in question facilitated the investigation leading to the arrest of an Oregon resident, who pled guilty on June 6 to two felony counts of trafficking under the Archaeological Resources Protection Act (ARPA). According to Kristine Olson Roger, U.S. Attorney in Portland, Oregon, Wright's expert help led to the prosecutable case brought by the Bureau of Land Management, an agency of the Interior Department. Lynell Schalk, the BLM special

agent-in-charge, recognized Wright's "outstanding contributions over the past 20 years in the protection of this nation's archaeological heritage." Schalk noted that Wright's efforts helped "increase public awareness of the value of these prehistoric sites and reduce the looting of sites and the illicit trafficking that results."

In 1973, before the passage of ARPA and intense federal efforts to curb archaeological vandalism and looting, Wright chalked up the highest number of arrests and prosecutions under state law for archaeological theft and destruction in any state for one location. Since then, he has been instrumental in assisting federal efforts to stop looting in southeastern Utah.

RECENT LEGAL CASES PROVIDE PROTECTION OF OUR COUNTRY'S CULTURAL HERITAGE

Recently, there have been several significant legal cases resolved that have provided significant contributions to the protection of our nation's nonrenewable cultural heritage. These prosecutions have arisen from violations affecting archaeological resources at Civil War battlefields, prehistoric Indian mounds, and shipwrecks. Some of the cases were brought in state courts for violation of state laws promoting archaeological resource protection. Most of them, however, were brought in federal court under the Archaeological Resources Protection Act (ARPA). The National Park Service, U.S. Department of the Interior, has made the following summaries of these cases available, and hopes that they will help raise public awareness concerning the looting problem, and show what efforts currently are underway to combat the problem.

Civil War Battlefields

1. Colonial National Historical Park

In November 1992, three people traveling from North Carolina to a Civil War artifacts show in Richmond, Virginia, stopped at Colonial National Historical Park to loot the York-

town battlefield using metal detecting equipment. At the time they were caught, they had dug over 250 holes and removed over 200 metal artifacts in violation of the Archaeological Resources Protection Act (ARPA). The prosecution of this case by the United States Attorney's office for the Eastern District of Virginia was led by Navy Lt. Anthony Antonellis, a special Assistant United States Attorney from the Naval Legal Services Office, Norfolk, Virginia, attached to the Eastern District. In November 1993, the looters were found guilty of two misdemeanors and one felony violation of ARPA. The judgments against them totaled \$15,000 in restitution to the Park, and the forfeiture of the 1986 Isuzu Trooper and the metal detecting equipment used in the incident.

2. Chickamauga-Chattanooga National Military Park

In February 1992, a visitor to Chickamauga-Chattanooga National Military Park, Georgia, reported to the Park that a person was using a metal detector to remove archaeological resources from the Civil War battlefield. Rangers responded, and the visitor's information was incorporated into the prosecution. The looter was found guilty of violating ARPA, which resulted in a \$4,000 fine to be paid as restitution to the Park, a \$500 criminal fine, and the forfeiture of the metal detecting equipment. The importance of this case is that it will be the first one occurring on National Park Service lands from which a reward that is authorized pursuant to ARPA will be given (see below).

3. Confederate Battery, Mobile Bay, Alabama State Land

In 1993, two men charged with theft of artifacts and damage to a Confederate Battery in Baldwin County, Alabama, pled guilty to criminal mischief, criminal trespass, and a violation of Alabama's antiquity laws. The case began when the Alabama Department of Conservation received information that "treasure hunters" were looting artifacts from the Civil War-era fortification. A year-long covert operation led to the indictments and convictions of J. E. Hamlin and Ronnie Hyer. Authorized searches recovered artifacts that had been

stolen from the site, and a bomb squad was needed to safely handle unexploded munitions.

Hyer was sentenced to one year in jail with two years probation and ordered to pay \$13,000 in restitution to the Alabama Historical Commission and Department of Conservation. He was also ordered to forfeit the boat, trailer, motor, high-tech dredge, and other equipment used to loot the site.

Baldwin County District Attorney David Whetstone, expressing his pleasure with the plea, said, "This is Baldwin County's first case of this nature, and we wanted to send a strong signal that we intend to protect the heritage of our State. Our County is rich in historical sites, and we intend to protect them to the fullest extent of the law."

Shipwrecks

1. *CSS Florida* and *USS Cumberland*

In 1993, the United States Attorney's Office for the Eastern District of Virginia successfully prosecuted four people—two watermen and two private collectors—who pled guilty to interstate trafficking in archaeological resources that were taken in violation of Virginia State law, which is a violation of the Archaeological Resources Protection Act (ARPA). The watermen used clam tongs to dredge artifacts from two protected Civil War era shipwrecks lying in the James River, off Newport News, Virginia. The Union ship *USS Cumberland* and the Confederate raider *CSS Florida*, both United States Navy property, are listed among Virginia's historic landmarks. The *USS Cumberland* sank with more than 100 men on board during the world's first armored naval battle, which involved the Confederate ironclad *CSS Virginia*. The *CSS Florida* was captured by the Union in Brazil and scuttled in the James River in 1864, a few hundred yards from the *USS Cumberland*. The watermen provided brass and copper spikes they took from the *CSS Florida* to the private collectors, who melted them down into belt buckles and advertised them for sale in a Civil War collector's magazine. Officers of the Confederated Naval Historical Society (a private, nonprofit organization) alerted the FBI

about the trafficking in artifacts from the *CSS Florida*, and that information was incorporated into the prosecution of the case. The prosecution was led by Special Assistant United States Attorney, Lt. Anthony Antonellis, who was detailed from the Naval Legal Services Office, Norfolk, Virginia. The men were convicted of two misdemeanor and two felony violations of ARPA, and sentenced to \$1,000 in criminal fines, and \$1,500 in restitution. This case is the second one in which a reward authorized under ARPA will be given.

Prehistoric Archaeological Sites

1. A Hopewell Culture Mound in Indiana. *United States v. Gerber*, 999 F.2d 1112 (7th Cir. 1993), cert. denied, 62 USLW 3471; 1-14-94

On July 20, 1993, the United States Court of Appeals for the Seventh Circuit upheld the conviction of Indiana resident Arthur Gerber for violating the Archaeological Resources Protection Act (ARPA). ARPA prohibits the interstate trading in archaeological resources removed in violation of State or local law as well as providing protection on Federal and Indian lands. During 1988 and early 1989, Gerber, a well-known collector and promoter of Indian "relic shows," stole artifacts from one of the five largest Hopewell burial mounds known from eastern North America. The mound, located near Mount Vernon, Indiana, is on private land owned by the General Electric Corporation. Gerber later sold some of the artifacts to the annual "Indian Relic Show of Shows" in Owensboro, Kentucky, which he organized. The theft violated Indiana's criminal laws of trespass and conversion. Gerber's transport of the illegally obtained artifacts across state lines from Indiana to Kentucky for the Indian Relic Show also violated ARPA.

In 1992, Gerber pled guilty to violations of ARPA. He was sentenced to one year in prison on five ARPA counts, ordered to pay a \$5,000 fine, and further ordered to forfeit \$4,750 in lieu of forfeiting the motor vehicles used in committing the ARPA offenses. Gerber reserved his right to appeal, however, on the ground that ARPA did not apply to his offense.

The United States Seventh Circuit Court of Appeals upheld the Federal case. The Court found that ARPA supports state and local laws protecting archaeological resources and that it is not limited to artifacts illegally removed from Federal and Indian lands. As such, it is like other Federal statutes that affix Federal criminal penalties to state crimes when they are committed in interstate commerce. The Court held that the objectives of Indiana's laws forbidding trespass and conversion include the protection of archaeological resources, and that Gerber's conduct was therefore forbidden under ARPA.

Gerber petitioned the United States Supreme Court to review the appeals decision. His petition was denied on January 18, 1994. The lead prosecutor throughout this case was Larry Mackey, Assistant United States Attorney for the Southern District of Indiana and chief of the Criminal Division, and he expects that the district court soon will order Arthur Gerber to begin serving his 12-month prison sentence.

2. Civil Prosecution under ARPA. *Eel River Sawmills v. United States*, and *Brown and Western Pacific Logging & Construction v. United States*.

These two consolidated cases constituted the first civil proceeding under ARPA. Eel River Sawmills contracted with the United States Forest Service to purchase timber on the Six Rivers National Forest in California. Eel River Sawmills was obligated under contract to promote the safe use of unsurfaced logging roads and to prevent erosion. To do so, they subcontracted the dust abatement work to the Brown and Western Company, who, in turn, dug a road and water holes without prior notice and approval by the Forest Service, as required. In the process, they seriously damaged archaeological sites. The Forest Service sought civil penalties for violations of ARPA, and accordingly issued a Notice of Assessment.

The companies appealed, and the case was presented before an administrative law judge (ALJ) of the Department of the Interior, which conducts these appeals by agreement with the Department of Agriculture. While the

companies claimed that their actions were inadvertent, the ALJ concluded that they had a valid contract in which they were required to notify the Forest Service of all unapproved ground-disturbing activities. The ALJ ruled that ARPA had been violated, the penalty of \$43,500 was upheld, and it was assessed against the subcontractors, Brown and Western Company. The decision was issued in August, 1992. After an appeal, the parties agreed to a settlement of the judgment in January, 1993. The case for the United States was handled by Marcia Abrams, attorney in the Department of Agriculture Office of General Counsel.

3. Prehistoric Sites in Florida

In 1992 four men, L. Frank Hudson, Donald Paul Williams, Peter Alexander Smitt, and Ronald Allen Webb, were charged with and convicted of racketeering conspiracy under Florida's Racketeer Influenced and Corrupt Organizations (RICO) Act, as well as criminal mischief and grand theft, for serious damage to five state-owned and two federally owned sites in Charlotte, Lee, Hillsborough, and Pinellas counties. This case, in which Robert A. Lee, State Attorney for the Twentieth Judicial Circuit of Florida, served as lead prosecutor, was the culmination of an intensive joint investigative effort with the Florida Department of Natural Resources; the Florida State Parks Service; the Florida Department of State, Bureau of Archaeological Research; and the National Park Service.

State authorities had become aware of systematic looting and destruction on state and Federal archaeological sites in several locales in south Florida, including Big Cypress National Preserve, Everglades National Park, and Ding Darling National Wildlife Refuge. Some of the reports dated back over twenty years. However, the identities of the violators who were destroying remote Indian mounds and other historical sites remained a mystery. Then, in July 1991, Florida State Park Service Officers in Cayo Costa State Park came upon a group of men sinking an exploratory shaft into an isolated area where local legend recounts stories of pirate activity. Focusing their investigative efforts on these individuals (Williams, Smitt, and Webb) and the person who

directed them to the site (Hudson), State officers uncovered evidence of looting throughout the region for more than a decade.

Prominent among the evidence was information about the mass destruction at the Calusa Indian temple mounds on Big Mound Key in 1980. Many of these past activities, numbering nearly 60 separate incidents, involved the use of bulldozers and backhoes to dig massive trenches through sites such as Big Mound Key. There the looters gouged a trench 20 feet wide, 25 feet deep, and 200 feet long into the site, destroying about 7,000 cubic yards of irreplaceable archaeological deposits nearly 1,000 years old.

L. Frank Hudson had been an active "treasure hunter" since the 1960s. He wrote *Hidden Wealth* and *Florida Shipwreck Treasures* and published a periodical called *Treasure Trove*. In addition, Hudson solicited investors through *Treasure Trove* and convinced them that he could make them fabulously rich by locating hidden caches of Spanish gold. One investor was known to have paid Hudson more than \$60,000 over a ten-year period. Donald Paul Williams was sentenced in January, 1994. The other three were sentenced in 1993.

BITS AND PIECES

Last year at this time, I published an archaeological version of *The Twelve Days of Christmas* that David Jeane had located in the *San Diego County Archaeological Society Newsletter*. I suggested then that L. A. S. members might try their hand at revising the song to make it more applicable to Louisiana or Lower Mississippi Valley archaeology. I had hoped to receive several versions for publication in this issue of the newsletter. However, only one member, Marie Standifer of Baton Rouge, responded. Her version is presented below [Rich Weinstein, editor].

On the Twelfth Day of Christmas, My Archy gave to me:

*Twelve labelers labeling
Eleven crew chiefs barking
Ten corers coring
Nine looters looting
Eight screeners screening
Seven field cooks cooking
Six students digging
Five Clarksdale Bells
Four mealing stones
Three cored beads
Two Dalton points
and a Fine Golden Marshalltown trowl*

1995 Caddo Conference Hotel/Motel Information

Blocks of rooms are reserved at 3 motels near the Pickle Research Campus; to get the conference rate, when you make your reservation, indicate that you are with the Caddo Conference.

Holiday Inn-Northwest Plaza Hotel
8901 Business Park Drive
512-343-0888 or
1-800-HOLIDAY
FAX: 512-343-6891
Confirmed rate: \$75 single or double

Comfort Inn
7928 Gessner Dr.
512-339-7311
Confirmed rate: \$55 single
or double

Ramada Limited Motel
9100 Burnet Rd.
512-835-7070
Tentative rate quote (8/17/94):
\$49.95 single; \$55.95 double

Other nearby hotels/motels (no conference rates negotiated)

Hampton Inn Hotel
7619 North IH 35
512-452-3300
1-800-426-7866

Howard Johnson Plaza Hotel
7800 North IH 35
512-836-8520

Stouffer Austin Hotel
9721 Arboretum Blvd
512-343-2626
1-800-468-3571

Days Inn of North Austin
8210 North IH 35
512-835-2200
1-800-325-2525

La Quinta Inn
7100 North IH 35
512-452-9401
1-800-531-5900

Econolodge
820 E. Anderson Ln.
512-835-4311

1995 CADDO CONFERENCE

MARCH 24-25, 1995
TEXAS ARCHEOLOGICAL RESEARCH CENTER
THE UNIVERSITY OF TEXAS
J. J. PICKLE RESEARCH CAMPUS
AUSTIN, TEXAS

REGISTRATION/ABSTRACT FORM

*please print
or type*

Name _____
first initial last

Institution _____

Address _____

City/State/Zip _____

Phone _____
work home

REGISTRATION FEE

Regular \$20.00 \$ _____

Student \$15.00 \$ _____

Banquet/Dance
\$15.00 \$ _____

Caddo Scholarship
Fund Donation \$ _____

Total: \$ _____

Please include your registration fee (make checks payable to The University of Texas). Mail this form and fee in time to be received by March 1, 1995 to:

Dr. Darrell Creel
Texas Archeological Research Laboratory
J. J. Pickle Research Campus, Bldg. 5
Austin, TX 78712-1100

I wish to present a paper () yes () no

Type of Submission

() Session

() Session Paper, Organizer _____

() Volunteered Paper

Author(s)/Institution(s) _____

Title _____

Abstract (type between lines, single-spaced, 100 words or less)

Audiovisual Requirements: () 35-mm slide projector; () overhead projector; () other _____

Second Announcement

LOUISIANA ARCHAEOLOGICAL SOCIETY

1995 ANNUAL MEETING

The 1995 Annual Meeting of the LAS will take place at Northwestern State University, Natchitoches, Louisiana from **Friday, February 3 to Sunday, February 5.**

The pre-registration fee is \$12—registration at the meeting will be \$15.

There will be a wine/cheese reception (and Registration) on Friday evening in the Student Union Building from 6 to 8 pm. The Executive Committee meeting will take place in the Student Union from 4:00 to 6:30 p.m.

Presentations will begin at 8:30 a.m. Saturday morning and will continue until noon on Sunday. The banquet on Saturday evening will feature John Barbry, former archivist at the Smithsonian Institution and member of the Tunica/Biloxi tribe, as guest speaker.

Please Contribute ! (see Contribution Form). If you do not want to talk, we will have plenty of room for posters or other displays.

Natchitoches has numerous new motels and restaurants. A block of rooms has been reserved at a special price for conference attendees at the Holiday Inn located on the Highway 1 Bypass. Special conference rates also will be available at the Days Inn located adjacent to the NSU campus. Register early!

We look forward to seeing everyone in February.



NAME: _____

AFFILIATION: _____

ADDRESS: _____

_____ ZIP: _____

PHONE: _____

Conference Pre-registration: No. _____ @ \$12.00 Total \$ _____

Make checks payable to the NSU Foundation, LAS Account and mail to:

NSU Foundation, LAS Account
Northwestern State University
Natchitoches, LA 71497