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Newsletter of the Archeological Society of Maryland, Inc.

www.smcm.edu.asm

Kennewick scientists win a big victory

From news wire reports

PORTLAND, Oregon - A federal magistrate judge has ordered the government to let scientists study the bones of Kennewick Man, an ancient skeleton discovered on the banks of the Columbia River. Scientists say the bones could offer clues about the earliest Americans.

The ruling by the judge, John Jelderks, rejected a decision by Bruce Babbitt, the interior secretary then, to give the remains to Indian tribes for reburial.

Magistrate Jelderks criticized the way the Interior Department and the Army Corps of Engineers had handled the case.

The government had "failed to consider all the relevant factors, had acted before it had all of the evidence, had failed to fully consider legal questions, had assumed facts that proved to be erroneous, had failed to articulate a satisfactory explanation for its action, had followed a 'flawed' procedure, and had prematurely decided the issue," Jelderks wrote.

After reviewing 20,000 pages of documents filed in the case in six years, Jelderks wrote, "Nothing I have found in a careful examination of the administrative record" supported the government.

"Allowing study is fully consistent with applicable statues," he wrote.

Dana Perino, a spokeswoman for the Justice Department, said government lawyers would review the ruling before commenting.

The scientists said they were happy with the ruling but emphasized it was a legal battle against the government interpretation of the law, not tribal tradition.

"I'm sure Native Americans see it differently, but this suit was against the government, not the Indian tribes," said Richard L. Jantz, an anthropologist at the University of Tennessee in Knoxville.

Alan Schneider, a Portland lawyer who represented the scientists, said Jelderks sided with the scientists "on nearly all major issues."

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Notice of annual meeting: October 19 in Ellicott City
Details on Page 3 and in insert

ASM news

2003 Field School: At its fall board meeting, ASM decided to return to the Winslow site for next year's field school. Because of an extended turkey hunting season (and the dangers it would pose to participants lurking nearby), the session will be a tad later than usual. Tentatively, it has been set for May 24 through June 2. Meaning no Mother's Day conflict.

Iris McGillivray: ASM has received a \$1,000 bequest in the will of Iris McGillivray, a longtime ASM activist who died this spring. She specified that the money go to the publication fund. For her many years of service, including membership secretary, Spring Symposium organizer and field school hostess, the board voted to honor Iris by naming a Spring Symposium lecture in her honor. (NOTE: Alison Pooley is trying to collect photographs of Iris, preferably at the Spring Symposium or at a field session, to use with an In Memoriam. Alison's address is 32 Delray Avenue, Catonsville, Md., 21228-3424, or give them to her October 19. She promises to copy and return all that she receives.)

Teacher of the Year: Beginning next year, the awarding of the Pat Seitz Teacher of the Year citation will be made at the Spring Symposium instead of the Fall Meeting. The board wanted to connect the presentation with Maryland Archeology Month.

Electronic newsletter: ASM members soon will have the choice of receiving this newsletter electronically instead of by mail. Next year's renewal form will give members a place to indicate their preference. ASM Ink already is available on line (www.smcm.edu.asm).

Upcoming events

Mid-September through late October. Pennsylvania Archeology month. Many programs. <u>www.quemahoning.com</u>

October 5, Saturday. CAT workshop on historic ceramics. Frederick. See CAT corner.

October 19, Saturday. ASM annual fall meeting, Ellicott City.

November 2, Saturday. MCIA symposium on current Indian affairs. See Page 5.

November 9, Saturday. CAT workshop on lithic analysis and identification. Frederick. See CAT corner.

November, 16, Saturday. CAT workshop on historic ceramics. Havre de Grace. See CAT corner.

Volunteer opportunities

The following volunteer opportunities are open to both CAT program participants and other members: Northern Chesapeake has lab work slated for October 10, 17, 24, and 31 and field work at Garrett Island Wednesday, October 16 and the weekend of October 26-7. Contact Bill McIntyre before showing up: 410 - 939 - 0768 or williamlmac@comcast.net

Central Chapter: See Chapter Notes.

Ongoing: The Lost Towns Project of Anne Arundel County (410 -222 - 7441); the MAC Lab at Jefferson Patterson (410 - 586 - 8550)

Circle October 19 on your calendar

ASM will hold its annual meeting on Saturday, October 19. Under the system of rotating sponsorship, this year's session will be hosted by UPAG, at the government center in Ellicott City. Directions for getting to the meeting, along with a complete list of speakers, are provided in an insert with this newsletter.

Registration opens at 8:15, with the business meeting beginning at 9 and the speeches at 10. After a lunch break -a listing of nearby restaurants will be available - the talks will resume at 1:30 and run until about 3. One highlight of the business meeting will be the announcement of the results of this year's ASM election. Also, the Society will honor excellence in Maryland archeology by presenting this year's William B. Marye and Patricia Seitz Memorial teacher of the year awards.

The theme of the meeting is Preserving Many Histories: Growing Challenges and Creative Solutions. This year's Frederic M. Stiner Memorial Lecture will be delivered by Charles Hall, the new state terrestrial archeologist, who will speak on Archeology's Preservation Dilemma: Reconciling a Destructive Science and a Preservation Ethic.

Other speakers will talk on such subjects as the efforts to preserve the Ellicott City Colored School and the efforts to preserve the Civil War submarine, the Hunley. Wrapping up the day's events will be Joe Dent, with a report on the results of this year's ASM Field School at the Winslow Site.

It promises to be interesting.

Tilghman's first inhabitants

By Amy Reinink, excerpted from the Easton Star Democrat, August 19, 2002

TILGHMAN - It's pushing 100 degrees and humid outside Darrin Lowery's bayside home, but he's having a blast.

The reporters and politicians who have invaded his backyard, also the site of a dig for 13,000-year-old artifacts from Tilghman's earliest inhabitants, are dressed in suits, or at least shirts with collars, and are sweating.

Lowery, dressed in a "spiffed-up" version of his normal work clothes - a faded T-shirt, shorts and tennis shoes - is not.

Lowery's work attire says as much about him as does the thick report he's compiled about the area or the photos of his work in the region on his refrigerator. The Ph.D. candidate speaks of his textbook-changing discoveries with the frank purpose of a grade-school teacher, eyes lit in what looks like genuine pleasure.

The reporters and politicians were there to watch Lowery donate artifacts ranging from mammoth teeth to arrowheads to Wayne Clark of the Jefferson Patterson Park and Museum, the Calvert County museum that will house the artifacts.

The excavation allowed by state grant money kicked off in 2000 officially, but Lowery started his research much earlier.

Lowery found the first of his specimens while combing the shore by his grandfather's place at age 7. He saw a documentary about early Americans on Maryland Public Television soon after and realized he'd stumbled on a gold mine.

"If you grew up in Tilghman when I did, you either spent your time driving your truck up and down the main road or walking along the shoreline," Lowery said. "I just happened to choose the latter."

The first inhabitants of Paw Paw Cove lived there when Tilghman was a springhead on top of a ridge overlooking the Choptank and Susquehanna river valleys, just before a period of extreme cold and wind that deposited layers of glacial dust, Lowery said. The cove is part of a complex of sites on the Delmarva peninsula that together are helping piece together the history of a civilization.

The stone tools and animal relics Lowery has found give a rounder shape to the early inhabitants of that region, Clark said.

"This will go down in Maryland's history and go down in American history," Clark said. "It's really a major contribution to knowledge."

For soil specialists and climatologists, the artifacts found there dated a layer of fine sediment around them that proves for the first time that the climate of the land that is now Tilghman was once an upland that suffered severe dust storms.

Scientists win a victory in fight over Kennewick Man

Continued from Page 1

The ruling should set a national precedent for archeological discoveries and the scientists will take the case "all the way to the Supreme Court" if the government appeals, Schneider said.

The Society for American Archaeology said in a statement, "The decision sets many important precedents that will balance the legitimate interests of tribes in reclaiming the remains of direct ancestors with the equally legitimate public interest in understanding the human past."

Jelderks told the scientists to submit a study plan to the government within 45 days.

Allowing scientific study of the skeleton will benefit everyone, including Indians, by offering clues to early migration and culture, said Robson Bonnichsen, former director of the Center for the Study of the First Americans at Oregon State University in Corvallis.

"I think (the scientists) will advance the ball quite a bit," said Schneider. "What we can get is a good comprehensive foundation of information about the skeleton so as more skeletons are studied we can get a more comprehensive view about what happened in the peopling of the Americas."

Shortly after the skeleton was found in July 1996 near Kennewick, Wash., Dr. Bonnichsen, Dr. Jantz and six other scientists went to federal court to prevent the Army Corps of Engineers from giving the bones to the tribes. The scientists said that a nearly intact ancient skeleton was extremely rare and that initial analysis indicated the bones differed from those of modern Indians.

But Babbitt backed the Corps of Engineers, which manages Columbia River navigation, saying the remains were "culturally affiliated" with Northwest tribes.

Babbitt acted under the Native American Graves Protection and Repatriation Act of 1990, a law intended to prevent the theft and sale of Indian artifacts, to protect tribal burial sites and to restore the remains of ancestors to the tribes.

The law requires federal agencies or museums to return remains and relics to tribes that can "show cultural affiliation" based on "geographical, kinship, biological, archeological, anthropological, linguistic, folkloric, oral tradition, historical or other relevant information or expert opinion."

The scientists, however, argued that no group can establish a direct link that extends back 9,000 years. "Babbitt said oral tradition trumped everything else," Jantz said.

Jelderks wrote that the government gave "only cursory consideration" to applicable laws, failed to explain illogical conclusions or misinterpreted federal statute in a way that makes its application absurd. "The Secretary did not articulate a cogent rationale that supports his finding of cultural affiliation," he said.

"The secretary neither identified the earlier group to which the Kennewick Man belonged nor explained how he inferred a 'shared group identity' over a span of 9,000 years between the tribal claimants and this unknown earlier group."

Jelderks focused on the definition of Native American, which the government said included essentially all remains dating prior to the arrival of Columbus in the New World in 1492. "Nothing in the statute indicates that Congress intended to define Native American as including people or objects with no relationship to present-day American Indians," the judge said.

"Under the (government's) interpretation, possibly long-extinct immigrant peoples who may have differed significantly - genetically and culturally - from any surviving groups, would all be uniformly classified as Native American based solely upon the age of their remains," he wrote.

Jelderks also took the Corps of Engineers to task again for its 1998 efforts to bury the Columbia Park site where Kennewick Man was found, despite its possible benefit in sorting out the archeological puzzle he left behind.

"It appears the tribal claimants' concern about further site investigation was the principal factor in the decision to cover the site," Jelderks said. "This action was consistent with (the government's) approach throughout the litigation, which has been marked by an appearance of bias."

(By late September, there still was no word if the government would appeal.)

American Indian Heritage Month 2002

The Maryland Commission on Indian Affairs is sponsoring American Indian Heritage Month throughout November as "an official recognition of the valuable contributions that Indian people have made and continue to make to life in the State of Maryland."

Events include a free symposium in Crownsville Saturday, November 2, that will examine some issues impacting on Indian communities here. The program starts at 8:30 with refreshments and opening remarks.

- 9:00 Disparities in Health: Update on Health Issues Affecting Maryland's Indian Communities Dr. Claudia Baquet
- 9:40 Multicultural Education: Is it Possible? Natalie Proctor
- 10:20 Repatriation of Human Remains: Bringing Our Ancestors Home Karenne Wood
- 11:00 Break, refreshments
- 12:00 State Recognition of Indian Tribes: The View from Next Door Dr. Helen Rountree
- 12:40 State Recognition of Maryland Indians: What it Would Mean for Maryland's Indigenous People Mervin Savoy
- 1:20 Question and Answer, Closing Remarks

For more information about this and other Heritage Month events, contact MCIA Administrator Dr. Dixie Henry at 410-514-7616 or henry@dhcd.state.md.us,

CAT corner

The Western Maryland and Northern Chesapeake chapters have taken the initiative in providing the classes needed for participants in ASM's Certified Archeological Technician program. Here is what is coming up in the next few months.

October 5, 10 am - 5 pm - Historic Ceramics - Varna Boyd. Frederick Library

November 9, 10 am - 5 pm - Lithics Analysis and Identification - Carol Ebright. Frederick Library.

30 students max at each. Bring a bag lunch - limited time for lunch. Light refreshments provided. Registration deadline for CAT candidates: Ceramics - Sept. 15, Lithics - Oct.15. After the deadline, remaining seats to be open to Western Maryland and Monocacy chapter members.

November 16, 9 am - 1 pm - Prehistoric Ceramic Workshop - Bob Wall. Havre de Grace Maritime Museum.

BOOK REVIEWS

Classification Guide for Arrowheads and Spearpoints of Eastern Pennsylvania and the Central Middle Atlantic, by Dr. Jay F. Custer. Published by the Pennsylvania Historical and Museum Commission. 138 pages with 73 illustrations, 19 photographs, 14 charts/graphs, \$14.95

A good field guide is essential, whether you are birding, hunting wild mushrooms or trying to identify a stone tool which you've just uncovered. Over the years I've observed just how difficult it is for people to agree on the classification of a projectile point be they seasoned amateurs or professionals. "It's an Otter Creek", "No, it looks more like a Meadowood!"

There is a new publication that may help remedy this problem, "Classification Guide For Arrowheads and Spearpoints of Eastern Pennsylvania and the Central Middle Atlantic" by Dr. Jay F. Custer of the University of Delaware. The first two thirds of the book is slanted towards the collector or hobbyist, providing a general introduction to projectile points, an instructive classification guide, point type descriptions, a lithic glossary and a brief overview of eastern Pennsylvania prehistory. The last third of the book is directed to the professional community with an in-depth discussion of projectile point typology and chronology.

Custer has consolidated the number of major point types to 26 to counter the growing proliferation. He places the balance of some 190 point types into a minor point type category. Some of us may be surprised to find names we are so accustomed to using such as Madison, Levanna, Adena and Brewerton moved to this category. Noel D. Justice in his "Stone Age Spear and Arrow Points of Midcontinental and Eastern United States" uses clusters, groupings of morphologically similar points, to control the redundancy of point types.

The Major Point Type Descriptions section is nicely illustrated with actual size drawings of the points. A written description, special dating information, raw material used and related Minor Types accompany each of the 26 points. The type is represented by 3 to 5 examples showing some of the variations.

Each point is an individual effort made by craftsman of varying degrees of skill resulting in similar but not identical versions of a type. If you add in use wear, resharpening and discarded incomplete efforts, the variability factor grows considerably. The more samples of a point we are presented with the greater our ability to identify the point. The photographic plates in the back of Ritchie's "A Typology and Nomenclature for New York Projectile Points" is an excellent example where a dozen or more samples of each point are shown. You get something of that with the 11 photo/drawing point assemblage plates used by Custer in the typology/chronology discussion.

One of the unique features of this publication is the Classification Guide for the 26 Major Point Types. The system takes you step by step with questions about the features of the point you are trying to identify until you eliminate all but the type your point represents. To test the system I had three people with three different levels of point recognition ability identify 10 projectile point types. All three did well and felt that the system worked.

There was one point, the Fishtail, which presented a problem for the three participants. When you begin the system you must decide whether the point is stemmed, notched or lanceolate and proceed from there. With the Fishtail, each saw the point as stemmed -- the system places it as notched. Ritchie, who defined the Fishtail point, classifies it as stemmed. Justice places it within the Susquehanna Cluster, a grouping of stemmed points. There seems to be a flaw within the system.

In his in-depth discussion on the typology and chronology, Custer, through the use of charts, graphs, point assemblages and logic, questions the normative assumption labeled the Coe Axiom which states "that a limited range, of projectile point types was used by a given prehistoric group at specific time intervals in the past." Though, this section is directed to the professionals, I believe the avocational reader will find it interesting and thought provoking.

These spearpoints, knives and arrowheads we ponder may be chiseled from stone, but their story isn't. It is fluid, ever-changing, evolving as new data comes to light and new ideas emerge. A good field guide is essential, this one will be added to my library.

Bones, Discovering the First Americans, by Elaine Dewar. Carroll & Graf Publishers. 628 pages (552 text). \$30.

"Bones" is not a book by an archeologist, nor is it by an American. Those are two of its advantages.

Not being an archeologist, Elaine Dewar is not writing to promote one school of thought in the debate about man's origins in this hemisphere. Instead she brings to the discussion her skills as a writer and an investigator who knows how to uncover useful information and ask useful questions. Her book also is not a detailed summary of what others have written. She traveled up and down North and South America, talking to the principal players, asking questions, visiting sites and collections.

Not being an American - she is Canadian - gives her a broader viewpoint than usually found this side of the border. Time and again she finds herself bringing information to interviewees who didn't know details of findings outside the U.S. borders, or sometimes even of the findings themselves.

Actually, the book is mis-subtitled. It should be "The Search for the First Americans," because the pages document her journey more than her conclusion. In fact, one flaw to the book is that it lacks a concise summation of what she learned in her wandering and asking. And the plural in "Americans" should be emphasized, as she was not just looking for the oldest American (used here in the geographically generic meaning) she could find, but in many of the others along the way. One key area of interest, which she returns to frequently in great detail, is Kennewick Man and the dispute over studying his remarkable remains.

In her search, she talks with more than just anthropologists and archeologists. Linguists and bacteriologists add their insights. To examine the Berengia land bridge theory, she talked to geologists and was told by several that she was the first person to do so.

From them, and others, she learned enough to pretty well demolish the once-dominant belief that the First Americans traveled across the exposed Berengia around 11,000 BP, down an ice-free corridor between two Canadian glaciers and south into the rest of the Americas.

She discovered there was no ice-free corridor in the key years. From around 30,000 BP to 11,000 BP and for maybe 1,000 years after that, the purported pathway was unusable to both man and the large animals he was said to be following.

Viruses and worms provide other clues about the settling of the hemisphere. A type of hookworm, for instance, needs a warm climate to survive and could not have passed through the Arctic.

As these examples indicate, the future of analysis has changed. No longer are bone measurements the main way to identify linkages. DNA is far more accurate and far less likely to be skewed by sample randomness.

So how and when did Early Man arrive? She quotes people who think that instead of spreading south from the Arctic, E.M. arrived first in South America and traveled north. And that there were multiple arrivals.

None of this, she makes clear, is to disparage today's Indians (in case anyone wanted to make that unlikely stretch), but to establish as accurate a historical record as possible.

Sometimes she makes judgments that don't hold up to logic. For instance, she writes of the ice-free corridor: "If there had been a long, long voyage, a walk from the north to the south, would it not have been told and retold by traditional cultures?" But such a walk would have taken 1,000 years, according to most estimates, with those at the end not realizing they were part of a single process with those who had taken the first steps 40 generations earlier. How much do people today, with our longer lifespans and a more detailed sense of history, talk to our children about events linking us to even 100 years ago?

She also attempts to provide the reason for the abnormal reaction by the federal government to the Kennewick Man discovery. While interesting, it supposes a little too much clout on the part of today's Indians.

Mixed into her narration is a bit of her personal story, especially about a dying aunt and about a visit to an Indian ceremony. The meaning of this isn't clear until the very end of the book. Then, after having documented in great detail the case for studying Kennewick man's bones, she abruptly discards all the facts she has accumulated - and, actually, the entire reason for her book in the first place - in the name of "social justice."

Two major defects of the book are what it doesn't have - pictures and specific maps. While her writing easily sustains the interest, graphics would have added understanding.

Chapter notes

Anne Arundel

The chapter meets on the third Wednesday of the month from 7:30 - 9 pm in the Chesapeake Room, Heritage Center, 2664 Riva Road, Annapolis. Karen Ackermann is the new president, replacing Carolyn Gryczkowski.

October 16: Julie Ernstein will present Looking at the Land: An Historical Archaeology of Land and Landscapes in Historic Prince George's County.

November 20: James G. Gibb will speak on mills.

Central

Central Chapter will have no formal monthly meetings this fall or winter. Lab dates are scheduled for Saturday October 12 and Sunday October 13th and Saturday October 26th. The all-day events at the Morris Meadows Recreation Farm, in Freeland, Maryland, will involve inventorying, assessing and interpreting the artifact collection from the 2001 and 2002 field seasons, and drawing and photographing the collection. Telephone Stephen Israel at (410) 945-5514 evening, (410) 962-0685 day, or by email; ssisrael@abs.net, for information.

Monocacy

Monocacy Archaeological Society meets the Wednesday closest to the 15th of each month at the Walkersville Middle School. Anyone interested can contact Joy Hurst at 301-663-6706 or e-mail hurst_joy @hotmail.com.

Northern Chesapeake

Meetings are the second Thursday of the month, usually at Harford Glen, but not always. Check the date for actual location. Meetings start at 7 with the program beginning around 7:40.

October 10: Bill McIntyre, "The History and Archeology of the Concord Point Light Keeper's House and Property," at Havre de Grace Middle School.

November 16: Bob Wall, "Prehistoric Ceramic Workshop," Havre de Grace Maritime Museum. This Saturday meeting, 9 - 1, will double as a CAT program.

December 12: Virginia Busby on the Chicone Site. Harford Glen. Covered dish dinner and awards meeting.

Upper Patuxent

Programs are the second Monday of each month as Mt. Ida, near the court house in Ellicott City. For information contact Lee Preston at 443-745-1202 or lpreston@mail.howard.k12.md.us

October 14. Dinner in E.C (meet at Mt. Ida at 6 pm). Meeting at 7:30 followed by speaker Lee Preston at 8 pm, "Ethnography Then and Now: A video Analysis of Selected Cultures and Ethnographers."

November 11. Potluck Supper at Mt. Ida at 6:30 followed by a membership Show and Tell Session at 8.

December 9 dinner in E.C. at 6 (meet at Mt. Ida) followed by UPAG Meeting at 7:30. Dixie Henry speaks at 8 on, "Archeology and the Oneida Indians."

Western Maryland

The annual Barton Fall Dig will be held October 19 and 20. If you plan to attend the ASM Annual meeting on the 19^{th} , complete your perfect archeology weekend with a scenic drive to western Maryland and "dig-in" on Sunday, at the perfect archeology site! Join us!

Kennewick Man, the 9,000-year-old skeleton, is back in the news. (See article on Page 1.) The Western Maryland Chapter has made several donations in support of the scientists during their protracted legal battle. Check out the full story and the complete 73-page ruling on the Web at: www.kennewick-man.com

Program calendar:

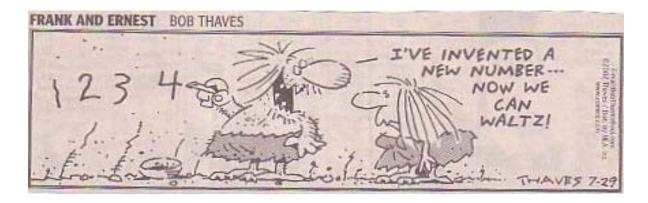
Oct. 25 - History, Methods and Findings of Excavations at the Cactus Hill Site - Michael Johnson. Did early man hike across the Bering land bridge, paddle through the Aleutians, slip in from the North Atlantic or, perhaps, all of the above? Mike will help us shake the dust from the greatest mysteries of the Northern Hemisphere. Work at this pre-Clovis site, near Richmond, Virginia, has produced artifacts below the Clovis horizon, dating to 16,000 BP. Mike was raised in the Fairfax area, has been the county archeologist for 24 years and is an authority in lithic technology.

Nov.22 - Archeologists and American Indians Working Together - Dixie Henry

December - Holiday Break- No Meeting

Visitors are welcome at all chapter programs, which are held the fourth Friday of the month, at 7:30 pm in the LaVale Public Library, unless otherwise advised. For more information, contact Ed Hanna- 301 - 777-1380.

Chapter Email- wmdasm@yahoo.com
Chapter Web site - www.geocities.com/wmdasm



Linkages:

For information on other archeological programs/groups in this area, check out:

Pre-Columbian Society of Washington, DC. Programs and a newsletter. 3106 18th Street NW, Washington, D.C., 20010 or www.pcswdc.org

Lost Towns Project. Ongoing search for colonial sites in Anne Arundel County. Lisa Plumley, Office of Planning and Zoning, 2664 Riva Road, MS 6401, Annapolis, Maryland 21401 or call 410 - 222 - 7441.

The Archeological Society of Maryland Inc. is a statewide non-profit organization devoted to the study and conservation of Maryland archeology.

ASM, Inc. members receive the monthly newsletter ASM, INC, the biannual MARYLAND ARCHEOLOGY, reduced admission to ASM, Inc., events and a 10% discount on items sold by the Society. Standard active annual membership rates are \$20.00 for individuals and \$30.00 for families. Please contact Dan Coates for publication sales at ASM, Northern Chesapeake Chapter, P.O. Box 553, Fallston, MD 21047-0553 or (410) 273-9619, e-mail: dcoates716@aol.com. For additional information, and membership categories, please contact Phyllis Sachs at P.O. Box 65001, Baltimore, MD 21209, (410) 664-9060, e-mail psachs4921@aol.com.

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