

# Alabama Archaeological Society

Associate Editors  
Bart Henson  
Dorothy Luke



Editor  
Amos J. Wright  
2602 Green Mountain Rd.  
Huntsville, Alabama 35803

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## COLLECTORS TAKE HEED

Those of you who may remember, we predicted in the Stones & Bones, Volume 22, Number 4, that Federal officials are prone to issue departmental regulations more restrictive than the Congressional law calls for. This was in relation to the newly enacted Archaeological Resources Act of 1979. Federal officials feel "safe" in issuing more restrictive rules which make it easier for them to enforce and leave no room for judgmental decisions - which are the hard ones. It seems that our forecast is coming true so far as applies to the Wheeler Wildlife Refuge. Below is an abstracted paper from one of our long and outstanding members - John H. Gustafson of Decatur. John is a dedicated avocational archaeologist, and some of the points he makes are well worth listening to.

The Editors

## A GOOD LAW GONE BAD

If you plan to continue surface collecting of artifacts on public land, you may want to read this carefully. You may then want to engage in some additional study and begin fighting the "system" to correct a great injustice.

As stated by the Congress, the Archaeological Resources Protection Act of 1979 (ARPA) had two major purposes.

1. To protect archaeological resources and sites on public and Indian lands.
2. To foster increased cooperation and exchange of information between individuals for materials obtained on public and Indian lands before the Act.

Reading the Congressional Record testimony, recommendations before the Act, and the Act itself, you get a very strong feeling that the targets for all of this effort were the "pot hunters", reckless destroyers of archaeological sites, and profiteers of these precious resources. These "bad guys" are all worthwhile targets for law enforcement efforts. However, what has happened in the Decatur area is that the full force of the Act is being placed on innocent surface collectors who, due to the eroding action of the Tennessee River, preserve rather than destroy our archaeological resources. The Act, its Regulations, and a misinformed Fish and Wildlife

Service manager have combined in an attempt legally to shut down surface collecting in north central Alabama. The results so far are to turn honest surface collectors into criminals, break down cooperation between Government agencies and Archaeological Society members, and increase the likelihood that pot hunting and profiteering of artifacts will increase. Not bad for less than a one-month operating period! It will surely get worse.

The local Federal Refuge manager, who has imposed the unrealistic rules, has admitted to his superiors in a letter that "plowing of fields for Wheeler waterfowl grain destroys more archaeological resources than all of the collectors combined".

To protect my interests as an "illegal" surface collector who is publicly vocal on the issue, I will do the following until the law is changed or the local collecting prohibition is eliminated.

1. All site and artifact records from 1979 to present have been disposed of.
2. All currently collected materials will remain unmarked and their source and circumstances will be by memory only.
3. An article in preparation concerning a paleolithic site of major proportions on Wheeler Refuge has been "buried".
4. All requests to review site materials will be rejected.

For someone who has never had so much as a traffic ticket and has been deeply involved in both Alabama and New Jersey Archaeological Societies, these plans and decisions are all very foreign. I don't dig, buy, sell, or trade archaeological resources. This incorrectly applied law will force me (and I suspect many others) to go underground until circumstances are changed. In the meantime, artifacts are lost to the river or found by collectors and poorly documented. Likewise, a very dedicated Wildlife Service wastes its time chasing down, stopping, and searching visitors to the beautiful Wheeler Refuge instead of doing what they have been trained to do.

As I implied earlier, there is a section of the Regulations which gives local public land managers the opportunity to permit surface collecting in selected areas. Since the Refuge manager has apparently declined to reconsider the issue, surface collecting of almost all sites in the Decatur area is off limits. What impacts the personal collector issue is that all archaeological resources found since 1979 are now considered Government property and subject to confiscation if identified as coming from public lands. To complicate matters further, local Refuge officers have been instructed to impose the law to its fullest. This might include a body search, fines, and confiscation of personal property according to newspaper accounts of a press conference and personal communications which the land manager had with his superiors. All of this is in spite of Regulations which state that "criminal and civil penalties are not to be applicable to removal of arrowheads located on the surface of the ground".

The whole situation has brought new life to collecting - all the wrong kind. Things which are illegal inevitably become more valuable. It was true with liquor, it is true with some drugs, and it will be true with archaeological resources. At an "arrowhead" showroom at the Lacon Trade Fair, the local hustler proudly displays thousands of artifacts for sale. Although the relics are not marked and their source could never be proved, he claims that many are obtained from the Tennessee River area. He is also candid that his prices are up since artifact collecting was outlawed on public land, and he is now willing to pay more for what he receives. He is also confident that he will get everything he needs when he needs it and that his group will get "healthy" due to this new law. The innocent hobby collector who will not violate the surface collecting law is a loser, our archaeological resources record system is a loser, and the real criminals win again.

So far, ARPA has accomplished nothing but negatives in Decatur and may be the vehicle to eventually threaten the very existence of an amateur-professional relationship and the Archaeological Society in the future. Please evaluate your own situation very carefully and study the Act and its Regulations. If you value your surface collecting freedom and preservation of archaeological resources, please defend that right to your Congressman and local Representatives.

John H. Gustafson  
Somerville

#### WINTER MEETING PROGRAM

Saturday, December 8, 1984  
Montgomery, Alabama  
Alabama Archives & History Building,  
Milo B. Howard Conference Room  
(No Registration Fee)

9:30	Welcome
10:00 - 10:20	Ned Jenkins - Survey of the Conecuh River Drainage
10:20 - 10:40	Harry Holstein - Excavations in Calhoun County
10:40 - 11:00	Gregory Waselkov - Recent Investigations at Fort Toulouse-Fort Jackson
11:00 - 11:20	Richard Krause - Snodgrass Site
11:20 - 11:40	Belize
11:40 - 1:30	Lunch and Board Meeting
1:30 - 2:00	General Session
2:00 - 2:20	Read Stowe - Recent Investigations in South Alabama

- 2:20 - 2:40        Vernon J. Knight - Excavations at Tuckabatchee
- 2:40 - 3:00        Jeannie Allen - Moundville, 1984 Season
- 3:00 - 3:20        Caleb Curren - Proto-Historic Ceramics of Alabama
- 3:20 - 3:40        John Cottier - Recent Research in Creek Archaeology
- 3:40 - 4:20        Patricia Galloway - Choctaw Archaeology in Mississippi  
and Alabama
- 4:20 - 5:00        Open Session (Discussion)

NOTE: The Board of Directors meeting at 11:40 a.m. is a luncheon meeting; however, food orders must be placed in advance. So if you plan to attend the Directors Meeting, let Jim Parker know (263-7412) in advance, or there may not be enough food for everyone.

Friday night activities include open house for members at the home of Jim Parker in Montgomery, starting at 7:30 p.m. Jim lives at 1333 South Perry Street (which is one-way traffic), three blocks south from the Governor's Mansion. If you are leaving the interstate, take Court Street exit off I-85.

Sunday is open, and no organized activities are planned. There are many historic and scenic places to visit (including the museum and Fort Toulouse Park). Ask Jim Parker for some suggestions.

Jim Parker  
Montgomery

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Florence - Chairman,  
Nominating Committee

IN MEMORIAM

Susie Fitzgerald of Grant, active member of the Alabama Archaeological Society and of the Huntsville Chapter, was killed in an automobile accident in October. A number of her friends have sent contributions in Susie's name to the A.A.S. As Susie was a student at Northeast Alabama State in Rainesville, and was on her way to class when she was killed, these contributions have been placed in the A.A.S. Scholarship Fund. The following are among those who have contributed to this fund.

Mrs. Sandra W. Dodd - Montgomery	
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Mr. Carol H. Alford - Hope Hull	
Mrs. Glenda H. Slanson - Montgomery	
Mrs. Merrie F. Burnett - Prattville	
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The Editors

## CHAPTER NEWS

### Birmingham Chapter

The Birmingham Archaeological Society met on Thursday, November 8. Dr. Bruce Wheatley, Professor of Anthropology, UAB, showed the National Geographic film, "Search for the Great Ape: Orang-utan", showing field work in Indonesia. Dr. Wheatley gave a talk, "The Orang-utan, Our Solitary Relative", and showed slides of his research on orang-utans in the same region.

On December 13, Mr. Joey Brackner of Birmingham will present "Historical Archaeology in Alabama". All meetings of the Birmingham Archaeological Society are free to the public; annual dues are \$5 per person or family. Meetings are held the second Thursday of each month at the Red Mountain Museum Auditorium, 7:30 p.m. For further information call Dr. Roger Nance, President, at 934-4690 or 879-0619, or Ms. Annette Otts, President-Elect, 674-0920.

Joan Scott

### Huntsville Chapter

The Huntsville Chapter has run into a problem with a permanent meeting room. We have been using the Arts Council Conference Room in the Von Braun Civic Center; because of Civic Center expansion, part of "our" room is being taken over for office space. Construction on the building is now under way. The November meeting will be held at the Burritt Museum on Monte Sano (see below), and plans are being made to hold the December meeting in a private home. By January we should be back in the Civic Center, but our meeting space will have been reduced by about one third. We are attempting to find a larger room, but in the meantime we will continue to use the Arts Council Conference Room from January on, even though it will be a tight fit. Watch for more information in the Stones & Bones and chapter newsletter.

The November program will be a presentation by Susan Weber, Naturalist at the Burritt Museum. Ms. Weber's topic is "Prehistoric Medicinal and Comestible Plants Used by Indians". This meeting will be held in the Parlor of the Burritt Museum on Tuesday, November 20, at 7 p.m. Part of Ms. Weber's presentation will include the preparation of "natural" foods, which we will be able to sample. Anyone in the Huntsville area with an interest in archaeology and ecology is encouraged to come to this meeting and to bring guests. We look forward to an interesting and unusual program. We will also be able to tour the recently installed archaeological exhibit on the second floor. Many of our chapter members participated in the planning stages of this exhibit, and it will be a real treat to see the upgraded display. If you remember the Burritt as a rather dingy, dusty place, you will be pleasantly surprised to see a first-class regional museum with well designed displays covering many facets of history and prehistory.

Dorothy Luke

### JOURNAL OF ALABAMA ARCHAEOLOGY

The June 1984 issue of the Journal of Alabama Archaeology has been mailed. If you do not receive your copy soon, contact Journal Editor Eugene Futato.

The Editors

### 1985 DUES

A.A.S. dues for 1985 are payable now. See back page of this issue of Stones & Bones for membership categories and amount of dues.

Bettye T. Henson  
Secretary-Treasurer  
Huntsville

### PUBLICATION AVAILABLE

"Technology & Conservation of Art, Architecture and Antiquities" - available free to those working in the field. Described as "the magazine for analysis, preservation, restoration, protection, documentation". "Technology & Conservation" is sent without charge to qualified persons working in or managing programs involving analysis, preservation, restoration, protection, and the documentation of art, buildings and monuments, historic sites, and antiquities. Write to Technology & Conservation; One Emerson Place; Boston, MA 02114.

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### BOOKS ON TENNESSEE ARCHAEOLOGY

The Tennessee Department of Conservation has opened a bookstore in the main offices in Nashville located at 701 Broadway. The bookstore now carries publications by the Division of Archaeology and will carry TVA's archaeology series in the near future. Price lists and available titles are available by writing to the Department of Conservation, Bookstore; 701 Broadway, Nashville, TN 37219-5237. Many of these books are also for sale at Pinson Mounds State Archaeological Area, located 10 miles south of Jackson on Highway 45.

The Editors

## PUBLICATIONS AVAILABLE

Available issues of <i>Journal of Alabama Archaeology</i> Vol. 20-29 each issue	(\$2.50 to Members) \$5.00 pp
<i>Stanfield-Worley Bluff Shelter Excavations</i> (Journal of Alabama Archaeology) Vol. VIII Nos. 1 & 2 - Reprint, each issue	\$5.00 pp
Special Publication 1 — Fort Mitchell	\$2.00 pp
Special Publication 2 — <i>The Archaeological Sequence at Durant Bend, Dallas County, Alabama</i>	\$4.50 pp
Special Publication 3 — <i>Archaeological Investigations at Horseshoe Bend</i>	\$6.50 pp
<i>Handbook of Alabama Archaeology Part 1, Point Types</i>	\$10.00 pp
Lively, Long, Josselyn - <i>Pebble Tool Paper</i>	\$3.00 pp
<i>Investigations in Russell Cave</i> , published by the National Park Service	\$7.50 pp
<i>Exploring Prehistoric Alabama through Archaeology</i> (Juvenile)	\$7.00 pp

CHECKS SHOULD BE MADE PAYABLE TO: **ALABAMA ARCHAEOLOGICAL SOCIETY**

SEND CHECKS TO: **MR. EUGENE FUTATO, Office of Archaeological Research**

1 Mound State Monument, Moundville, Alabama 35474

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**MAIL TO:**

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7608 Teal Drive, S.W.  
Huntsville, Alabama 35802**

## *Alabama Archaeological Society*

Mr. Amos J. Wright  
2602 Green Mountain Road SE  
Huntsville, Alabama 35803

