Submission to the Uaxashaktun Ak Pakal Muurs Nation Grand Council of Elders for the Determination of Title to North America Known as Asqu Shamal

Prepared By:
Kan Maccu B'alam,
Draconus Rex Draconorum:
Toriano ObaShango-El,
Grand Chief of the
Uaxashaktun Ak Pakal Muurs Nation

Submitted: March 15th, 2024

I send greetings of peace and blessings to all of the esteemed members of the Uaxashaktun Ak Pakal Muurs Nation Grand Council of Elders, and to all whom shall view this document. It has been by way of a long, quintessential quest into the history of the true ownership of these American lands that has placed my feet squarely on the path to discovering the truth in regards to the claim that the Muurs/ Moors are the de jure owners of these American lands in true allodial freehold, fee simple absolute heirship.

Within this presentation, I have submitted a preponderance of historical evidence that strongly supports the following:

1. Great Britain never acquired title to North America in any fashion via the Doctrine of Discovery, and although that doctrine supported Christian discovery, Great Britain's discovery was subject to discovery made by prior Christian people. Please review Johnson v. McIntosh (1823). The early Christian Moors of old Mauretania had colonized and named America "Asqu Shamal" approximately 1,012 years prior to Christopher Columbus' arrival. If Great Britain had no lawful title, then it was impossible to pass lawful title to the United States of America.

2. The teachings of Ya'shua Ha Mashiakh, i.e. Isa Al Messi, were known and taught on these American lands as early as the 4th and 5th Centuries A.D. by the Christian Moors of old Mauretania. Ya'shua Ha Mashiakh said in the Gospel of Matthew at chapter 5, verses 17-18 in the Holy Bible, that the laws of The Most High Yahuweh Hawasha Washa Allah are forever present and immutable. The Senate and House of Representatives of the United States of America in Congress assembled has resolved and affirmed this in their Statutes at Large found at 96 Stat. 1211, and is accepted as their law under Public Law 97-280.

3. Noble Drew Ali recorded our adherence to the Holy Qur'an in the Cook County Recorder of Deeds Office in Illinois under instrument number 10105905. The Holy Qur'an confirms the Holy Bible in several Ayats within several Surahs.

4. The Bourne Stone landmark of Kumassakumkanit, Massachusetts was a proclamation given by Hanno the Navigator, in which he claimed this land in annexation to the Punic Iberian Carthaginian Empire in the east. The mounds of North America are testaments of our ancestors who built civilization in this land as well. This boundary stone and these mounds are protected under Deuteronomy 19:14 and 27:17. It is further affirmed in Psalm 16:6, Proverbs 22:28 and 23:10. These passages speak specifically to land inheritances.

5. The Muurs within the Uaxashaktun Ak Pakal Muurs Nation have ancient genetic ties to the people who were responsible for Asqu Shamal and the Bourne Stone, as well as the mounds, and therefore have a dual nature inheritance established by blood. We wish to honor our ancient forefathers and foremothers in the fullest and correct capacity as possible by stepping into our position as the rightful heirs and beneficiaries of these ancient claims and deeds without hesitation or molestation from colonial descendants. Equity regards the beneficiary as the true owner.

Now therefore, I present this submission to our magnificent body of collective wisdom known as the Uaxashaktun Ak Pakal Muurs Nation Grand Council of Elders, to seek thee the confirmation from The Most High Yahuweh Hawasha Washa Allah that the evidence which I

now present before this council is right and exact. Should the council find this information correct in all of its supporting evidence to establish the truth of the matter in all claims stated herein, then let law be rendered upon our nation in the form of a *ne plus ultra* title granted by this esteemed council to command every Uaxashaktun Ak Pakal Muur to walk in his or her divine genetic inheritance, and to exercise his or her rights, interests, and title to this land as de jure beneficiaries. Let the law be reflected in a newspaper publishing, and sent to all parties to give demonstration of the duration of the notice. And, should there be any contrary parties to step forward during or after publication, then let equity in a de jure, competent, and truthful forum which honors only the facts decide the matter. This submission is hereby my request.

Sincerely,
Kan Maccu B'alam,
Draconus Rex Draconorum:
Toriano ObaShango-El,
Grand Chief of the
Uaxashaktun Ak Pakal Muurs Nation

Exhibits:

1. **Paleo-American Aborigine Muur and Pre-Columbian American Moor Abstract of Title from www.pulaskiclerk.com Real Estate Instrument No. 2017026407 pp. 88-89- pg. 1**
2. **The Epigraphic Society Occasional Publications- Asqu Shamal- pg. 3**
3. **Ancient American, Vol. 8, Issue No. 54- Connecticut's 5th Century Church Regarding Asqu Shamal- pg. 27**
4. **The Epigraphic Society Occasional Publications- Bourne Stone- pg. 33**
5. **The Daily Colonist of Vancouver, British Columbia's, St. Petersburg Times' (Tampa Bay Times'), and Cincinnati Enquirer's Newspaper Publishing of the Bourne Stone on Thursday, April 17th, 1975 by Professor Barry Fell- pg. 41**
6. **Pre-Columbian Resources Potentials, A Comparison of Old World and New World Petroglyphs- pg. 44**
7. **Johnson v. McIntosh, 21 U.S. 543 (1823)- pg. 142**

Finis

been **forgotten** by **nearly all today**. And, **it is history that paves the way for the interactions and rules given as law between people and nations as they deal with each other**. See also **Bouvier's Dictionary of Law, 1856, Maxims of Law**- "***Ex facto jus oritur***. **Law arises out of fact; that is, its application must be to facts**." Here are some points of **history** and **law** that will be addressed ***in addendum*** so as to refresh your memories.

i. Abstract of Title to the Americas "*in toto*" by Bloodline Descent and Title of Nobility for the Muurs/ Mauri/ Moors; Only Right Lawfully Makes Might:

A. The following is the Paleo-American, Autochthonous Aboriginals' ***droit-droit jus sanguinis***, **paramount natural law title** to the Americas ***in toto*** for the Muurs; as drawn in stone at the **Serra da Capivara site in Brazil** and the **Toca da Esperansa** site in Brazil at approximately **100,000 years ago** and **295,000 years ago** respectively; as well as other **more ancient** and **Pre-Columbian archaeological sites**, **artifacts** and **monuments in America**; as given herein and **originated by eumelanin dominant people** of **Negroid**, **Africoid**, **Oceanian**, **proto-Southeast Asiatic/ Austronesian**, **proto-Asiatic Mongoloid** and the **much later proto-Europoid** and phenotypes lawfully known as Muurs/ Moors. (See the morphological phenotypical evidence of **Leanne woman of Texas** at approximately **9,000-9,500 years ago**, **Luzia woman of south-central Brazil** at approximately **11,500 years ago**, **Peñon woman of Central Mexico** at approximately **12,000-13,000 years ago** and **Naia woman of Hoyo Negro of Yucatan Peninsula** at approximately **12,000-13,000 years ago**.) The **Treaty of Peace and Friendship between the united States of North America Republic and the Al Moroccan Empire of 1787** and **1836**; **United States Statutes at Large 8 Stat. 100-105**, and **484-487**, **treaty series TS 244-1** and **TS 244-2**; **9 Bevans 1286** respectively; is the **true *jus soli* imperial**, **lawful Moorish paramount title** to the Americas ***in toto***; which are the **dominions of the Al Moroccan Empire**, but it is **included and subjected to** the Paleo-American, Autochthonous Aboriginals' ***droit-droit jus sanguinis***, **paramount natural law title** to the Americas ***in toto***. (See **Black's Law Dictionary, 4th Ed., 1968**- "***Prior tempore potior jure***. **He who is first in time is preferred in right**." "***Quod prius est verius est; et quod prius est tempore potius est jure***. **What is first is true; and what is first in time is better in law**." "**Where two rights concur, the more ancient shall be preferred**." "***Quando duo jura concurrunt in una persona, jequum est ac si essent in diversis***. **When two rights concur in one person, it is the same as if they were in two separate persons**." "***Monumenta quze nos recordá vocamus sunt veritatis et vetustatis vestigia***. **Monuments, which we call "records," are the vestiges of truth and antiquity**." "**Law favoreth common right**.", and the **Ancient Law of Dominion** as found in **Genesis 1:26-28**, and the **Ancient Law of Landmarks** as found in **Deuteronomy 19:14** and **27:17**, **Proverbs 22:28** and **23:10-11**, **Isaiah 40:8**, **Hosea 5:10**, **United States Statutes at Large 96 Stat. 1211** and **Public Law 97-280**.) The **Holy Qur'an** confirms these **Ancient Laws of Dominion** and **Landmarks** with **Sura 22, Ayah 65**, and by confirming **all of the prophets of the Holy Bible** sent by the Most High Creatress/ Creator of the heavens and the earth prior to the Holy Qur'an. The **Treaty of Peace and Friendship between the united States of North America Republic and the Al Moroccan Empire of 1836** confirms the **supremacy** of the Most High Creatress/ Creator of the heavens and the earth with the opening statement of "**Bismi Allah Al Rahman Al Rahim**", *i.e.* "**In the name of God, the merciful and clement**!" One's blood inheritance or ancestors' accomplishments **does not change** because of a change in one's religion or their national name. According to Yashua Ha Mashiakh, as recorded in **Matthew 5:17-18**, "**Think not that I am come to destroy the law, or the prophets: I have not come to destroy, but to fulfil. For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled**." And **Matthew 24:35**, "**Heaven and earth shall pass away, but my words shall not pass away**." These **Ancient Laws of Dominion** and **Landmarks** are **still applicable today**. We cannot forget all of the archaeological finds of the evidence of my people, the Paleo-American, Autochthonous Aborigines; as chronicled in **public record instrument No. 2015080734**, and others written herein, from the **Folsom site in New Mexico**, to the **Pygmy Skulls of Eastern Tennessee**, to the **Topper site of South Carolina**, to the **Calico site in California**, to the **Serra da Capivara site in Brazil**, to the **Hueyatlaco site in Mexico**, to the **Toca da Esperansa site in Brazil**, all the way back in time to **millions of years ago** at the **Miramar archaeological finds in Miramar, Argentina**. We shall not be surprised to find our presence **even older upon these American lands** as archaeological digs continue, science progresses and **the truth comes forward**. There is no need to repeat verbatim the maxims of law regarding land and its first occupants. **It belongs**

to the first occupants under natural law, and **he that owns the soil**, **owns up to the sky**, **and down to the depths of the earth**. The **colonial descendants** now living under the current United States' and the current 50 states' corporate democracies **must honor and acknowledged these facts** pertaining to the **true heirs of the land** that they are currently occupying. **I am of O+ blood** and **mostly Paleo-American, Autochthonous Aborigine ancestry of 85%**, with **Mongoloid Native American** and **Austronesian Southeast Asian genetic introgression**, as well as **other genetic introgressions from various other global populations**; **which well occurred over a millennia ago**, and as discovered according to the research of independent geneticist Tyrone Cannon of Perth, Western Australia. My ancestors were **already *in situ*** when the Austronesians, Mongoloids and other global populations came to our lands. See link **1drv.ms/b/s!Al4BnCOKcGaEgUbQbNRCKtewSJZ4**, beginning at **page 23** for '**Scientific Dissenting Opinion in Support of Toriano ObaShango-El's Status Correction**' update. The link has been added for paperwork reduction in regards to this 43 page genetic report.

B. The following is according to the Age of Empires. According to Prince Angelus Uriel Elymas Bei, author of '**Libretto No. 2- Magnus Geographicus Permetiri Atque Familiae Annales Imperium Maurusium Ac Gentilis Ius Sanguinus (The Great Geodetic Survey and Family Chronicle of the Moorish Empire and it's Bloodright Heirs)- The Book of Blood and Deeds**', "**He that owns the land by Birthright (Emphasis added: Blood Birthright) Inherited Noble Title makes the Laws, and is Vassal to no one**." The **Treaty of Peace and Friendship between the united States of North America Republic and the Al Moroccan Empire of 1836**; **United States Statutes at Large 8 Stat. 484-487**, **treaty series TS 244-2**; **9 Bevans 1286**, with the **Moorish Libyan early Christian Bible inscriptions** of the **gospel of the death and resurrection of Yashua ha Mashiakh** at the **Narrows Shelters** in **Crawford County**, **Arkansas**, and the **Moroccan 5th century Church** erected in **Cockaponset Forest**, **Connecticut**; with the **title/ name of the land**, *i.e.* **Asqu-Shamal**; **written in stone at Fiquig**, **Morocco** is a ***jus soli* imperial**, **lawful Moorish paramount title** conjoined to the claim of **prior consanguine empires of the Canaanite/ Phoenician/ Carthaginian/ Punic Iberian Empire** and the **Bourne Stone**, the **Kemetian Empire**, the **Nubian Empire** and the **Kushite Empire**. According to **Black's Law Dictionary, 4th Ed., 1968**, "**PARAMOUNT TITLE. In the law of real property, properly one which is superior to the title with which it is compared, in the sense that the former is the source or origin of the latter. It is, however, frequently used to denote a title which is simply better or stronger than another, or will prevail over it**..." I am holding **United States National Archives** authenticated records of the **Treaty of Peace and Friendship between the united States of North America Republic and the Al Moroccan Empire of 1787** and **1836**. **All who see that I am a holder in due course of these treaties, should know that as a blood right heir under *jus sanguinis*, I AM HOLDING PARAMOUNT TITLE TO THE AMERICAS *IN TOTO* UNDER *JUS SOLI***. The representation of my **Muurish *jus sanguinis*** and **Moorish *jus soli*** title to the Americas ***in toto*** is my **Bloodline descent**, and the **Treaty of Peace and Friendship between the united States of North America Republic and the Al Moroccan Empire of 1836**; **United States Statutes at Large 8 Stat. 484-487**, **treaty series TS 244-2**; **9 Bevans 1286**. The opening statement of "**Bismi Allah Al Rahman Al Rahim**", *i.e.* "**In the name of God, the merciful and clement**!"; is an **automatic and direct invocation** of The Most High Creatress/ Creator of the Heavens and earth's **jurisdiction** into this treaty, *i.e.* **contract**, and the **Ancient Laws of Dominion** and **Landmarks** are **eternal** according to the **Holy Bible** and the **Holy Qur'an**. **There is no legislation that can supersede the laws of nature**, and **regardless of how this may cause some people to feel; we are all held bound to them**. Thus, the ***de jure* natural autochthonous people of the land** are the ***de jure* owners of the land**. (See **Bouvier's Law Dictionary and Concise Encyclopedia by John Bouvier; 3rd Revision, 8th Ed., 1914**- "***Leges naturae perfectissimae sunt et immutabiles; humani vero juris conditio semper in infinitum decurrit, et nihil est in eo quod perpetuo stare possit. Leges humanae nascuntur, vivunt, moriuntur***. **The laws of nature are most perfect and immutable; but the condition of human law is an unending succession, and there is nothing in it which can continue perpetually. Human laws are born, live, and die**.") Thus, this **concludes** the abstract of ***jus sanguinis*** and ***jus soli*** title to the Americas "***in toto***".

C. According to Noble Drew Ali, Divine Preparer of the '**Circle 7 Moorish Holy Koran**', the prologue '**Know Thyself And Thy Father God Allah**' states, "The industrious acts of the Moslems of the northwest and southwest Africa. These are the Moabites, Hamathites, Canaanites, who were driven out of the land of Canaan, by

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VOLUME 3
PART ONE

Bicentennial Issue

1976

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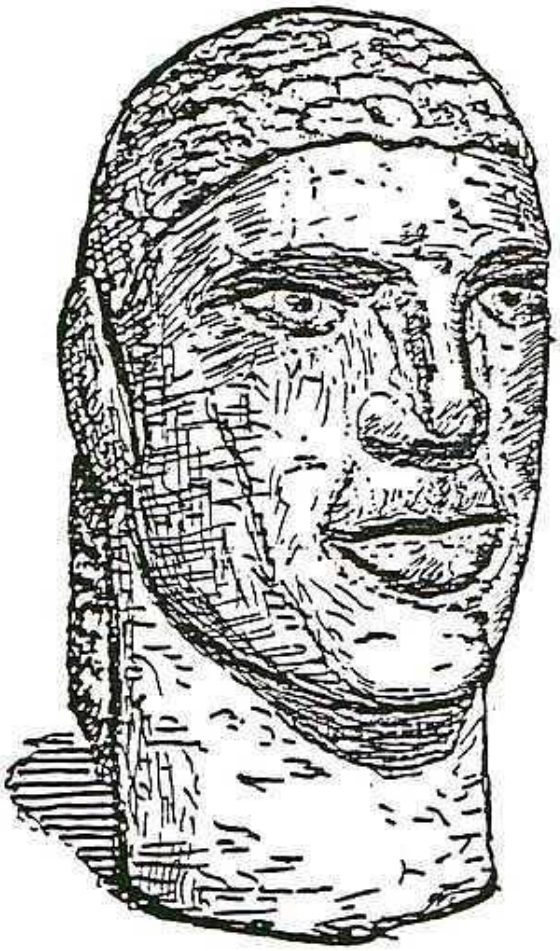

VOLUME 3 **Bicentennial Issue**

PART ONE

1976

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ON THE COVER. This mysterious life-size sculpture was found at Hillsboro, New Hampshire, during excavations in the 1950's. It is one of a series of comparable sculptures found at various times in New England soil, now believed to be the work of the Iberic cultures whose emigration to America can be detected from inscriptions. Drawn by Gertrude Johnson. (By permission of the Early Sites Research Society).

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A Fifth-Century Moroccan Emigration to North America

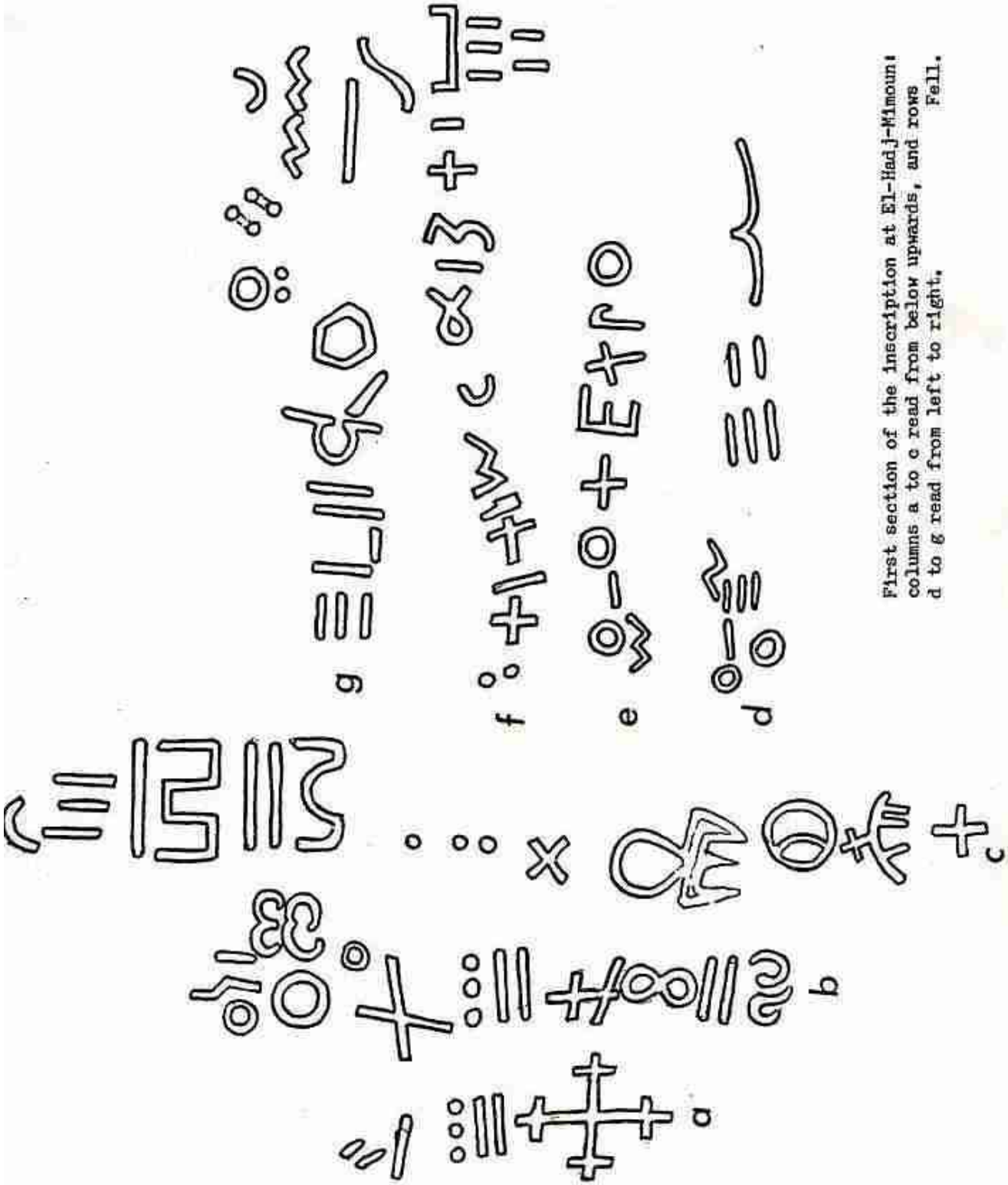
Barry Fell
Agassiz Museum, Harvard University
(President, Epigraphic Society)

Introduction

During 1974 and 1975 American inscriptions in the Libyan alphabet were reported from various localities (Fell, OPES vols. 1,2). It was at first assumed that contacts with Libyan navigators in the Pacific would account for the inscriptions, until Gloria Farley discovered additional examples from the cliffs of tributaries of the Mississippi River. We now began to ponder the possibility of trans-Atlantic voyages. Following a visit to Morocco late in 1975, James P. Whittall, chief archeologist of the Early Sites Research Society, supplied me with copies of what seemed to be either Libyan, or perhaps Berber, inscriptions from that country and soon after that Dr Norman Totten visited the Rabat archeological Museum, and obtained further transcriptions. Meantime, as reported elsewhere (Fell, 1976) I had detected by frequency analysis substantial proportions of what appeared to be an Arabic dialect in the language of certain Amerindian tribes, notably the Pima. Later still I found that the traditional Pima chants, supposedly in an archaic untranslatable tongue are in fact composed in a language that is basically Arabic, and so they can be translated with the aid of a dictionary of classical Arabic.

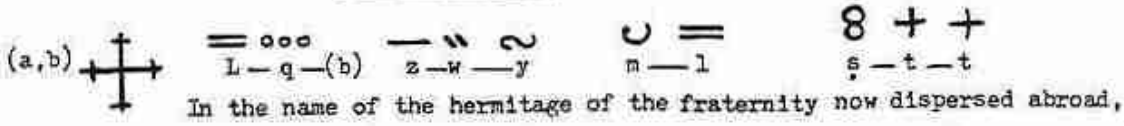
These puzzling facts were considerably clarified after I received and analyzed copies of the Moroccan inscriptions obtained by Whittall and Totten. It now became apparent that the supposed "Libyan" texts from Morocco are in reality written in a dialect of Arabic, set down, however in characters of the Libyan alphabet. This, in turn, led me to examine other Moroccan inscriptions. The results, as I report in a later paper, show that an ancient dialect of Arabic has been spoken in Morocco from an epoch antecedent to the time of Christ.

Still more surprising, though not unforeseen, was the verbal content of one long rupestral inscription from El-Hadj-Mimoun, near Figuig, that had been discovered by Flamand (1921) and was now placed in my hands for decipherment by James Whittall. In terse, abbreviated Old Arabic, using the Libyan character, it described an episode of emigration from Morocco to a continent called Asqa-Shamal, lying beyond the sunset. The historical implications are discussed by Professor Totten in the following paper. I give now the decipherment.

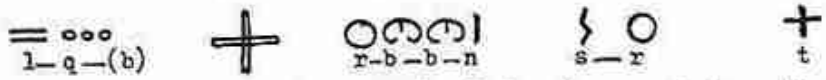


First section of the inscription at El-Hadj-Mimoun: columns a to c read from below upwards, and rows d to g read from left to right.
Fell.

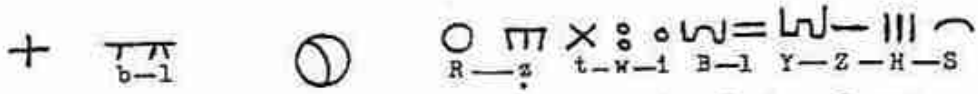
The Decipherment

(a,b) 

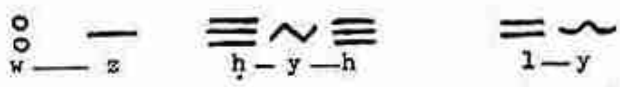
In the name of the hermitage of the fraternity now dispersed abroad,

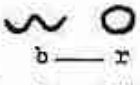


(b,c) and in the name of the Cross of the Divine Sacrament, by oath sworn

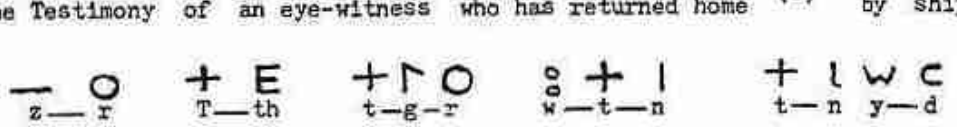


(c) to Christ the Lord, of the world emperor crowned Lord Jesus:

(d) 

The Testimony of an eye-witness who has returned home (e) 

by ship



(e,f) that put in to Teth(wan) sea port; now in his homeland a second time,

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Roots and cognates: page numbers in Wehr's Arabic Dictionary are prefixed by the letter W, left and right columns by suffixed A and B.

The cross prefix also occurs in Coptic documents. laqab, name W873B; zawiya hermitage W387B; milla, religious community, fraternity, friary W918B; satta, dispersed, scattered abroad W454A; the cross hieroglyph is consistently used; rabbani, divine W320B; sara, sacrament or purity, W405A; ta, By, as in oaths W88A; line (c) the symbol Christ-the-Lord incorporates the ogam line B-L (lord), also found in one Coptic context, and commonly on Iberian temples, both Celtic and Iberic; the hieroglyph for world, a circle with crescentic shadow line representing an illuminated sphere, also occurs in Micmac (see America B.C. for dating); R-z, Libyan loan word, Ras (Egypt r-s) originally chief, later emperor; tawaj, crowned Wehr99A; B-L (lord) here in capitals, so also JESUS; wasa, testimony W1072A; hayah, eye witness W219B; layy, turn back W885A; bari, ship universal root; zara, visit, put in to W386A; Teth(wan) port in Morocco; tagr, harbor, sea port W103A; watani, native land W1079B; tani, for a second time W108A. The scribe does not consistently distinguish Y and B and Š. The capitalized B found here also occurs in a Cuenca inscription, and is normal in Old Javan. In Old Maghrib z consistently represents Arabic s: yata, time W108A.

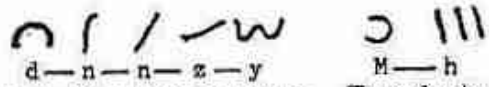
Section two of El-Hadj-Mimoun inscription; columns h to o read from below up.

(f,g) ended are the years of trouble; filled with compassion for the havoc wrought

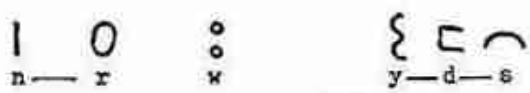
(g) by the "Trousered-Men" (i.e. Teutons) of that distinguishing characteristic;

(h,i) We were struck by total ruin in the shape of the Vandals, a contemptible

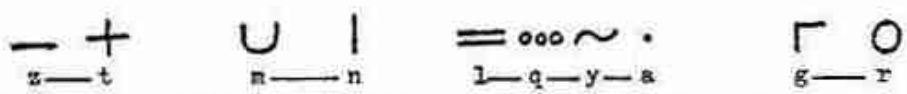
Note: On account of the shape of the rock face the scribe is compelled to change direction from horizontal to vertical, and back to horizontal lines. This, in accordance with Libyan rules, causes the signs for w & l, z & n, to interchange, and other signs change their form.



(i) race of no consequence. They destroyed



(i) by fire Oh how much! (j) robbing property



(j) and stores (k) an affliction as unbearable as the cutting edge of a sword.

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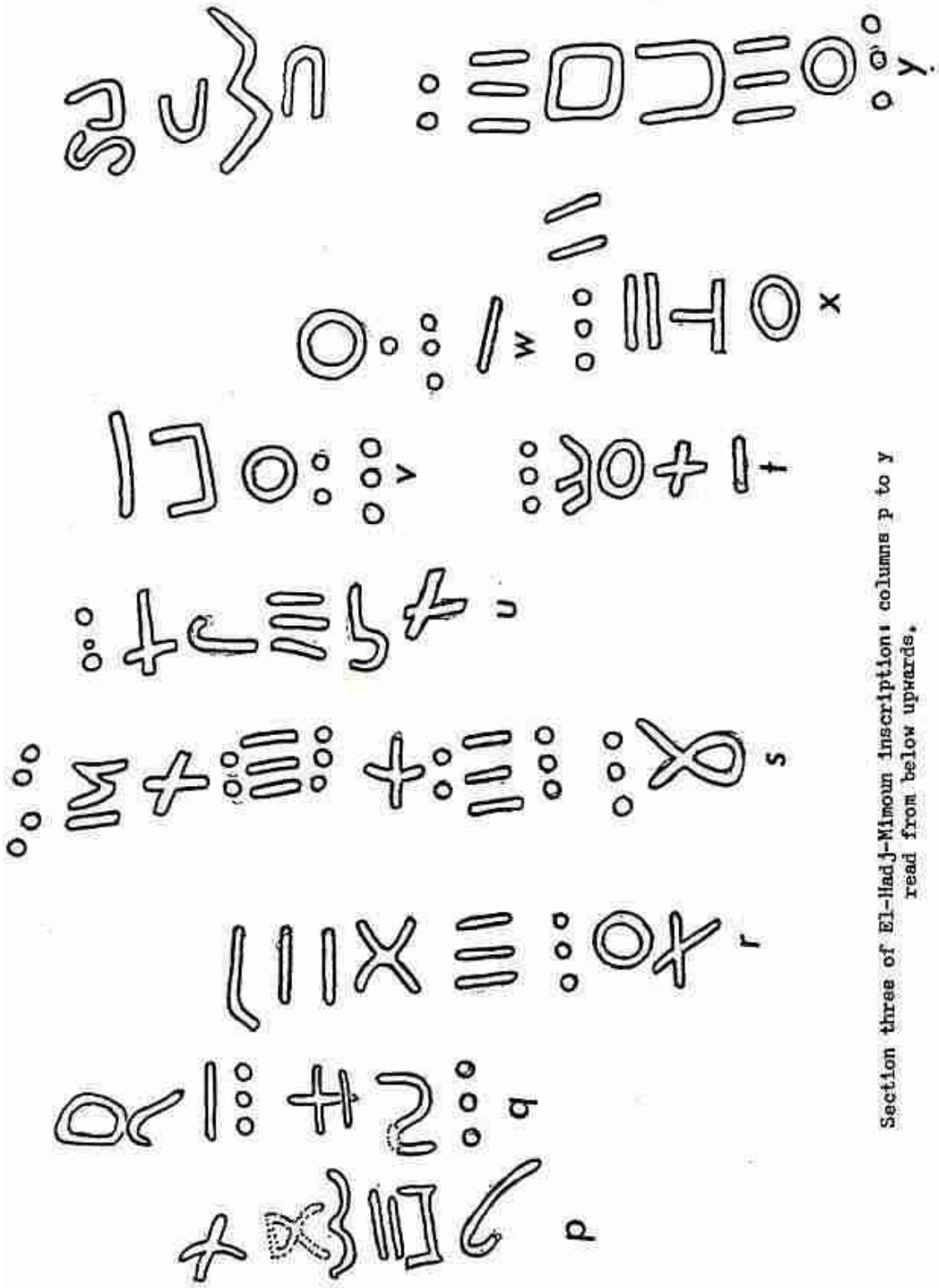
faniya, to end W729A; tā (Libyan loan word) year(s); mahal, trouble W895A; hanna, filled with compassion W209A; salb, plundering W420A; sarawal, wearing trousers (a Teutonic manner of dress) W408B; mayaya, distinguishing characteristic W934B; qara, be struck W757B; halaka, total ruin W1031B; ka, in the shape of W806A; Wantl, Vandals; zariy, contemptible W376B; danadinya, a people of no consequence W294A; maha, obliterate W895B; nur, fires W1009A; Wa!, O how much! W1044A; yadahu, to steal property W1106B; sat, stores of all kinds W397B; manu, an affliction W927B; laqiya, to be endured, unbearable W879A; garr, cutting edge of a sword W667A. All page references relate to Wehr's Arabic Dictionary.

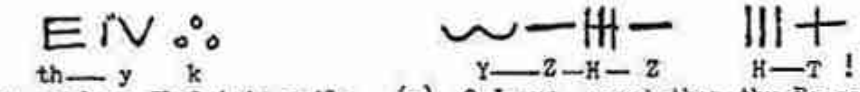
This section of the inscription is illustrated by a hieroglyph representing a trousered Teuton (the Vandals were a Teutonic tribe); and a long-boat overloaded with two disproportionately large crates of pillaged goods.

Fell

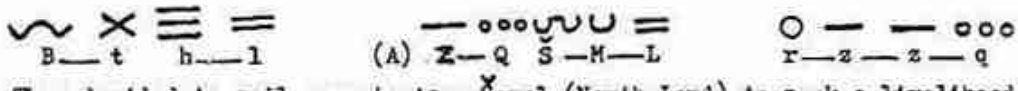


Section three of El-Hadj-Mimoun inscription: columns p to y read from below upwards.

(k) The misery engulfed the whole world. (l) Followers of the True Faith

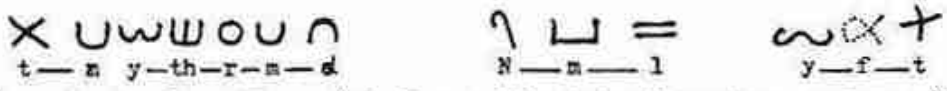


(l) as good as fled into exile, (m) O Jesus, grant them thy Peace!

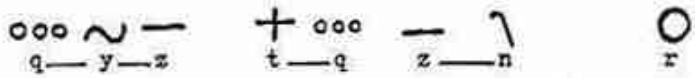


(n) They decided to sail away to Asqa-Šamal (North-Land) to seek a livelihood

(n) where the sun sets in the evening. (o) They prepared suitable dried fruits



(o) to last a long time. (p) They calibrated with numbers a plaque (?Cross-staff)



(q) for measurements exact of the elevation of the sun.

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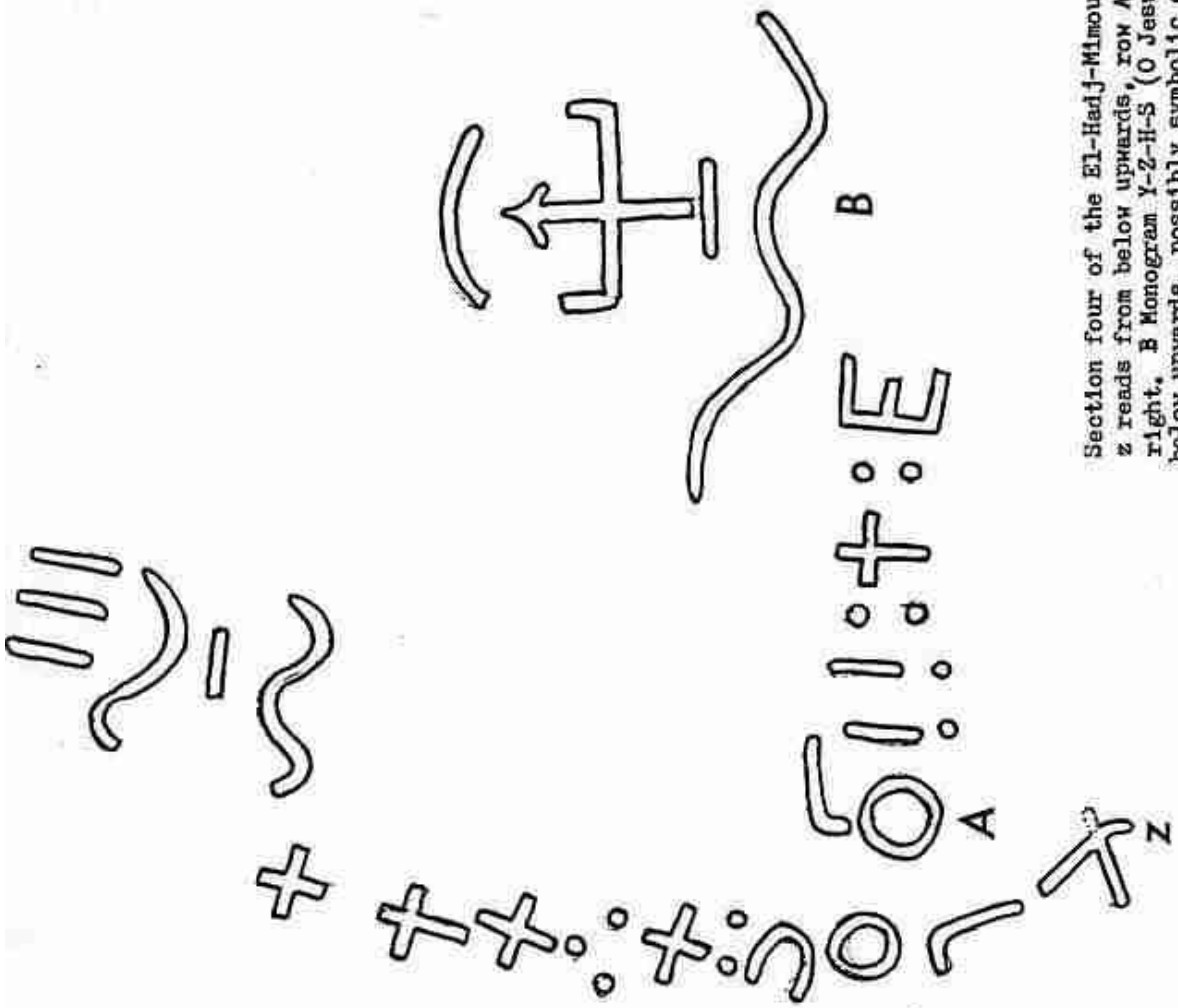
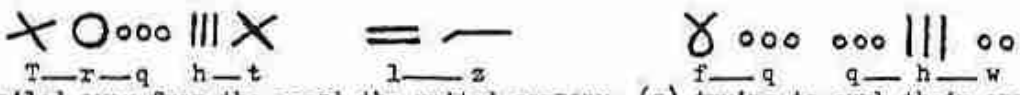
tas, misery W95A; qahafa, engulfed W744A; hieroglyph "world"; rassid, Followers of the True Faith W341B; thaya, took flight into exile W578B; ka, as good as W806A; hada, grant peace W1021B; batt decided W40B; hala, to depart W215B; asqa, continent W520A; šamal, north W487A; razaqa, seek a livelihood W336B; ra, sun (Libyan loan word); hata, go down W186A; sahra, evening W437A; tahta, prepared W91B; qamin, suitable W791A; yamiša, dried fruit W1105A; dama, to last W303A; ya thalama, a long time W1104A; namr, graduate with numbers W1000B; yafta, plaque W1108A; qayas, measurement W804B; daqa, accurate W287A; sana, elevation W436B; ra, sun (Libyan loan word). tark, departed, sailed away W93B; hadd, border, coast W159B; lazza, united company W864A; fand, tried, sought W722A; qahiya, to curb the appetite W795A; daqa, carefully W287A; huwa, they W1037A; tanaya, counted W108A (tatniya; tanaya may be a Libyan loan word); wa, also W1044A; wa, how many

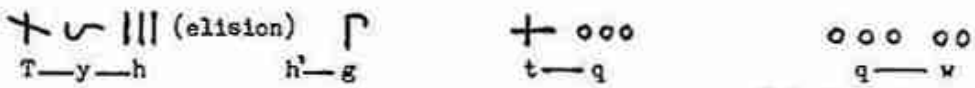


Section four of the El-Hadj-Mimoun inscription: column z reads from below upwards, row A reads from left to right. B Monogram Y-Z-H-S (O Jesus) to be read from below upwards, possibly symbolic of Christ walking on on the waves.

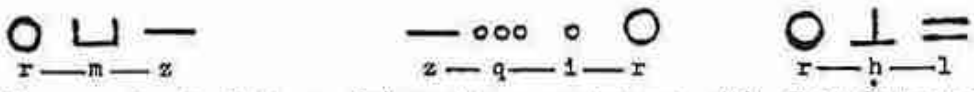


(r) Sailed away from the coast the united company, (s) trying to curb their appetite

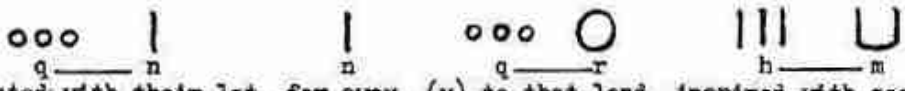
(s,t) Carefully they counted also how many times the sun rose and shone (i.e, days).



(u) Across the trackless wastes their Chief precisely directed (v) the helmsmen

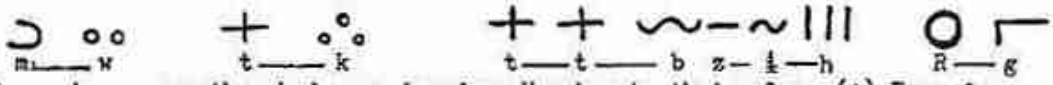


(v) by his secret calculations (w) on the correct track. (x) They journeyed on

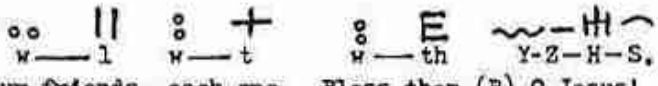


(x) contented with their lot, far away (y) to that land, inspired with zeal.

(y) They reached their destination and into the wilderness ventured. (z) The void



(z) of surging waves they had overcome by adhering to their plan. (A) Pray for



(A) our friends, each one. Bless them (B) O Jesus!

W1044A: sata, rising (of sun) W410A: ra, sun (Libyan loan word): thaqb, would shine W103B: tayah, trackless wastes, W100B (tih): aga, chief W20A: daqqa, precisely W287A: qawa(d), helmsman W796A: ramuz, secret ciphering W359B: zaqila, narrow track W379A: rahala, journeyed, voyaged W331A: qan, qani, contented W793B: na', far off W936B: qara, continent or mainland W751B: himma, inspired with zeal W1033A: ruhla, to arrive at a destination W331A: bayada, uncultivated wilderness W86B (m- and b- are mutant alleles): yama, venture among W1109A: tugra, void, gap W103A: mawa, surging waves W930B: takk, mastered W95B: tataba, adhering W90B: zih, straight line (plan that does not deviate) W388B: raga, pray W347A: wali, comrades W1100B: Wada!, God bless! W1058B: YZHS, monogram "O Jesus".

Commentary

According to Totten's analysis of the foregoing decipherment in the light of known historical events (Totten, OPES v. 3, no. 47, following) the most probable date for the voyage and colonisation reported in the inscription would be about 480 A.D. The actual inscription he is inclined to date to ca 535 A.D. for reasons given in his paper. The epigraphy itself is not in conflict with this dating, and cannot, in fact, provide better data than the actual statements given in the text. I therefore accept Totten's dating as the best available at this time.

Both Professor Totten and I infer that the only possible interpretation of Asqa Shamal, the "North-Land" mentioned as the destination of the voyagers, is North America. The word Asqa implies in Arabic a mainland, not an island. Further, in line (y) of my transcription, the destination, when sighted by the voyagers, is referred to as Q-R, i.e. qara, a word that in modern Arabic means a continent. The continent, thus twice so-called, is stated to lie to the west of Morocco "in the setting sun", and it is separated from North Africa by a "trackless waste" and a "void of surging waves". The only northern continent that fits these parameters is North America.

There is further lexicographic evidence in the text. In line (y) of my transcription the voyagers are reported, upon arrival at their destination, to have then "M-Y-D Y-N", a phraseology that in the vowel-less style of old Semitic must represent Mayada yana, "ventured into the wilderness." The word used for wilderness is mayada.

Now, it is a remarkable thing that of the various supposedly mythical western lands referred to by pre-Columbian geographers, apart from Hy-Brasil, the best known are the names Mayada (or Mayda) and As-Maida. I now believe that these words are Spanish corruptions of a Moorish tradition of a western wilderness land (Asqa-Mayada) and, more succinctly, Wilderness (Mayada).

It is also clear from the inscription that Asqa-Shamal was already well known to the Moroccan voyagers. They did not discover it, they merely took the decision to emigrate to this remote land in order to escape the Vandals.

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Implications of the Figuig Decipherment

by

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Barry Fell's recent decipherment of an inscription preserved on a stone cliff at Hadj-Mimoun (Figuig), a remote oasis which now marks the easternmost boundary of Morocco, has far-reaching implications for the study of both Old and New World history. The purposes of this article are (1) to date the inscription, (2) to point out some of its implications to our understanding of history, and (3) to discuss aspects of early Christian monasticism helpful to a fuller comprehension of the message of the writing.

I. CHRONOLOGY

The inscription tells of Christians, including members of a brotherhood of monks, who fled Morocco by sea to escape the ruin being wrought by Vandals. They sailed for many days on a ration of dried fruits until they reached a wilderness land far to the northwest. An eyewitness to all these events has returned home after the years of trouble have ended.

These happenings, with the possible exception of the eyewitness' return must fit into the period 429-535 A.D., which encompasses the years of Vandal activity in North Africa. The following is a listing of significant dates within this period.

Dr. Totten is chairman of the history department at Bentley College and vice president of The Epigraphic Society. He was a site supervisor in the archeological excavation at Deir Alla, Jordan, and teaches courses in ancient, medieval and Islamic civilizations.

429 The entire Vandal nation, about 80,000 under leadership of King Gaiseric (428-77), sailed from that portion of the Iberian peninsula still named for them, (V)Andalusia, to North Africa. The invitation and the ships for their transport were provided by the Roman African commander, Bonifacius, who was in temporary disgrace with the imperial court at Ravenna.

430 St. Augustine died during the Vandal siege of Hippo, and their conquest of Roman Africa was virtually complete except for Carthage and its territory.

435 Emperor Valentinian III (425-55) recognized the Vandals as *foederati* (allies, from *foedus*, meaning treaty), and turned over to them formally all the Roman provinces of Africa except for Proconsularis and its chief city of Carthage.

439 Gaiseric broke the treaty of 435 by suddenly attacking and seizing Carthage, which remained under Vandal control for 94 years as the center of their raids and piracy.

442 The Romans recognized Vandal independence in North Africa.

455 Emperor Valentinian was murdered and his widow Eudocia is said to have appealed to Gaiseric for help. On this pretext the Vandals sailed to Rome, captured it easily, and for 14 days systematically removed its wealth. They returned to Carthage with Eudocia and two of her daughters. One daughter was married to Gaiseric's son and eventual successor, Hunneric.

460 The Vandal navy defeated the Roman fleet of western emperor Majorian.

464 The Vandal navy defeated the Roman fleet of eastern emperor Leo I. During the period after 455 the Vandals incorporated Sicily, Corsica, Sardinia, and the Balearic islands into their empire, the predominant power in the western Mediterranean. Berbers of the interior regions were never completely subdued, however.

476 Eastern emperor Zeno concluded a treaty with Gaiseric, recognizing his conquests, promising perpetual peace. In exchange, the banished Roman bishops were allowed to return, and for a number of years the persecution of the indigenous Roman Christian population by the Arian Vandals was ended. Hunneric (477-84) resumed the persecutions later in his reign.

523 Aged Hilderic (523-31) came to the Vandal throne. He was the first and only orthodox Vandal king, and allowed the bishops to return and restored churches to the orthodox Christians despite his solemn oath to his predecessor not to. He was imprisoned by his successor Gelimer (531-4), which gave the eastern emperor Justinian a pretextfor later conqueroring the Vandal empire.

532-4 Justinian's general Belisarius conquered North Africa. Within a few years the Vandals, as a separate people, disappeared from history.

The name of these people has become synonymous in English with acts of malicious and wanton destruction. Few know that for a 100 years they were the dominant power in the western Mediterranean.

I am unaware of any archeological or literary evidence at present other than the Figuig inscription itself which can help us set the events recorded in it into the preceding chronology.

The Vandals had accepted Christianity in its Arian form. Arius was a fourth-century Alexandrian priest who emphasized Christ's human nature and maintained that his divinity was created and therefore not coeternal nor coequal with that of the Father. He considered Christ to be of similar substance (*homoiousios*), not of identical substance (*homousios*), with God the Father. Though condemned by the councils of Nicaea, 325, and Constantinople, 381, Arianism continued among the nations of east Germanic origin.

The Vandal-Arian persecution of orthodox Christians in North Africa took the form of pillaging and destroying some private property, banishing the orthodox clergy, and confiscating ecclesiastical property for Arian use--not (as in the case of earlier pagan persecutions) torture, death or forced conversion.

The Vandals, naturally enough, centered their attention on conquering rich, populated areas. There is evidence that they never seriously penetrated south of Tingitana (northern Morocco today). An isolated oasis on the perimeter of this area, such as Figuig, may well have escaped the Vandal incursions for some decades after their initial landing in Africa.

The first peace the orthodox clergy and monks knew under the Vandals was 476 and it lasted for several years, allowing their return. If the Figuig epigrapher was in this wave of returnees, then we must surmise that Figuig itself was, after 476, outside the bounds of Vandal control or that the Vandals had no knowledge or curiosity about the script in which the statement was recorded. Otherwise, it is unthinkable that they would have allowed the setting up and preservation of a public notice referring to them as "a contemptible race of no consequence."

The second peace the orthodox clergy knew under the Vandals was the reign of Hilderic (523-31). His mother was not Vandal, but a Roman princess, an orthodox Christian, and Hilderic followed her faith. He favored the indigenous orthodox population, and again allowed the orthodox clergy to return.

Because the inscription was made in a period of peace from Vandal persecution, some years after the settlement of the monks in a very distant land, it must have been cut either sometime after 476, around 480 or 535 A.D. The seemingly conclusive way in which it states that the years of trouble have ended, and the very offensive manner in which it refers to the Vandals, would favor the latter choice, a date soon after the Byzantine conquest and restoration of orthodox worship locally.

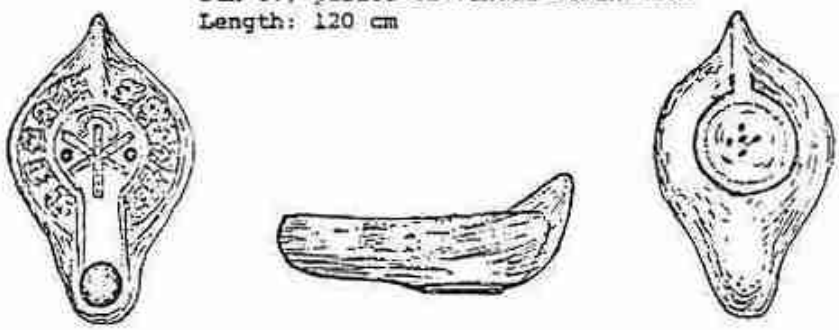
Inasmuch as the last expulsion of orthodox clergy and monks prior to 535 occurred in the final years of the reign of Hunneric (d. 484), we must conclude that the voyage referred to in the inscription took place about 480 A.D.

From the pious form of the inscription's wording, especially its opening phrase, "In the name of the hermitage of the friary now dispersed abroad and in the name of the Cross of the Divine Sacrament," we may infer that the Figuig epigrapher was himself a member of that friary.

It has not been at all unusual for children to be placed in monasteries for upbringing when their parents died, and for them to choose step by step to become full members. The epigrapher could have been a child whose parents died on the voyage or after arrival in the new land, and was brought up by the brotherhood, eventually becoming part of it. If he was 10 at the time of the exodus he would have been 65 upon his return.

Conclusion. By integrating the information contained within the inscription itself with known events of the period, it has been possible to infer a likely date for the exodus voyage as 480 A.D. and for the Figuig inscription as 535 A.D.

Pottery Lamp *(Totten Collection)*
Carthage region, Tunisia
5th c., period of Vandal domination
Length: 120 cm



This lamp came from a more Latinized part of the Vandal kingdom than Figuig. Within the discus proper are two filling holes for oil and the Chi Rho (monogram for Christ). It is impossible to tell whether it was made for Arian or orthodox Christians, as there was no difference in their visual symbolism. I first learned this in 1962 in Ravenna by studying comparatively the 5th and 6th century baptistries and churches built by Arian and orthodox Christians. The iconography of their baptismal scenes, for instance, was indistinguishable. Around the outside of the lamp discus are the 12 heads of the apostles.

II. IMPLICATIONS

Implications of the Figuig decipherment appear to be enormous. I will list in summary fashion those which I have deduced (1) on the basis of known historical evidence, (2) from the inscription itself, and (3) from Dr. Fell's recent linguistic investigations.

Direct Decipherment

These points are dealt with more fully by Dr. Fell in "A Fifth-century Moroccan Emigration to North America" (Occasional Publications, *No. 46*) *and "Arabic Dialect in Ancient Moroccan Inscriptions"* (Occasional Publications, *No. 48*).

1. A form of classical Arabic language, Iberic (so-named by Dr. Fell for its first-identified place of use) existed in parts of Iberia and the Magrib (northwest Africa, today the Arabic name for Morocco) for at least two centuries (possibly even earlier, as Fell suggests) before the Islamic Arabic conquests of those regions.

2. At least some characters of the early Kufic Arabic script were being used in the Magrib (Morocco) 165 or more years before the Islamic conquest of that region around 700 A.D.

3. The use of an indigenous Arabic language in parts of the Magrib and Iberia *before the Islamic conquerors arrived* may help to explain the rapid flowering of Arabic civilization in those regions during the 8th and 9th centuries.

Sometimes isolated settlements preserve in living form otherwise archaic languages and scripts. In 1961, for example, I heard the ancient Aramaic language still being spoken in the little mountainous village of Maloula, Syria. A few years later I was amazed, while driving around the Gaspé Peninsula, to discover a settlement completely surrounded by French-speaking peoples which had maintained its English language for generations, so that the inhabitants with whom I spoke could not even understand French. The Tuaregs, the only Berbers today to have their own form of writing, have preserved the Libyan script. It was in this alphabet, though in a non-Berber tongue, that most of the Figuig inscription was composed.

Conclusions

1. Description of the voyage--including its direction, duration, provisions, wilderness land arrival--all point to the probability that the destination was North America. Circumstances of the initial and return

voyages imply both prior knowledge of the North American continent and intermittent continuing contact between it and lands of the western Mediterranean. Epigraphic evidence from North America has confirmed these contacts beyond question, but so far most dates for American inscriptions have had to be inferred from their typology, compared with related forms found in Europe and North Africa.

2. It is possible now that some of the tentative dates previously placed on American inscriptions may need to be revised downward. Fell's continuing decipherments should help to clarify this, together with the comparative studies of American and Mediterranean monuments and artifacts by James Whittall and others. More joint investigations by American, North African and European archeologists should be of immeasureable assistance.

3. Contacts by sea between the Old and New Worlds did not cease with the arrival of the Germanic peoples, but continued into the 6th century, almost certainly throughout the peaceful period of Justinian's long reign (527-65) and probably, in some fashion, up to the time of the Muslim conquests about 700 A.D.

III. EARLY CHRISTIAN MONASTICISM

The goals and lifestyle of monasticism are largely alien to the tempo of the modern world, and, therefore, seldom understood by it. Unfortunately, I have not had the opportunity to examine the topography of Figuig. I will employ, as analogies, examples of monastic sites and communities which I visited in Europe and the Middle East, in order to elucidate the situation of the community of monks referred to in the inscription.

Terminology

1. *Anchorein*	to retreat	ANCHORITE
2. *Eremos*	desert	HERMIT (EREMITIC)
3. *Askesis*	training	ASCETIC
4. *Monachos*	alone	MONK (MONASTERY)
5. *Koinos Bios*	common life	CENOBITE
6. *Convenire*	to come together	CONVENT (CONVENTION)
7. *Frater*	brother	FRIARY
8. *Regula*	rule	REGULATION (REGULAR)
9. *Caelebs*	unmarried	CELIBATE
10. *Eikon*	image	ICON (ICONOCLASTIC)

Formation of Christian Monasticism
1st-6th centuries

Christian monasticism began in Egypt, in both its eremetic (hermit) and cenobitic (community) forms. Once the emperor Constantine legalized and favored Christianity over other religions the ideal of Christian perfection through martyrdom was ended. Those who sought to overcome earthly temptations found a new way, a life of daily martyrdom through self-denial and inner discipline, monasticism.

Earlier influences on development of the monastic ideal included the celibate example of Jesus, the probable affiliation of John the Baptist and some of the original disciples of Jesus with the Essene community at Qumran (known today for the remnants of their library, the "Dead Sea Scrolls") and the ascetic admonitions of St. Paul.

But Anthony of Egypt (d. 356) and Pachomius of Egypt (d. 346), more than any others, may be credited with the founding of Christian monasticism. *The Life of Anthony*, written by Athanasius (d. 373), also of Egypt, popularized the monastic ideal among such men in the West as Ambrose (d. 397), Jerome (d. 420), and Augustine (d. 430)--all of whom became canonized as saints and treated as Fathers of the church.

The *Letters* of Pachomius had more influence in the East, especially upon Basil (d. 379) who wrote the Rule which became the standard for monks there, incorporating a life of work, charity and prayer. Though both Martin of Tours (d. 400) and John Cassian (d. 432), both of Gaul, wrote rules for monks, the one which became standard in the West was that composed by Benedict of Nursia (d. 550), who in 529 founded the monastery of Monte Cassino. The Benedictines dominated monasticism in the West for 600 years.

The eremitic form of monasticism fostered by Anthony and others in the 4th and 5th centuries led to excesses and sometimes bizarre expressions of piety. Much as the *fakirs* of India in modern times, individual monks often abused their bodies in order to subdue them--burying themselves in the sand for days, getting into unusual postures and remaining there so long that their limbs atrophied, self-flagellation, living for years atop pillars (of which the most famous example was Symeon Stylites, d. 459, who stayed on marble columns for 32 years.

Pachomius organized his followers into convents, with a three-year novitiate (trial), meals in silence and a set form of clothing, with rules for work and worship. Though in the East the hermit is still considered the highest form of monk, it was the convent and rule, initiated by Pachomius, which prevailed in both East and West.

In Figuig the monks were solitary (*monachos*), but in a communal life (*Koinos Bios*) of brothers (*fratres*), a friary. Their form of testifying (*martyrium*) under persecution was not death in an arena for the pleasure of pagan spectators but exile, exile to the wilderness of America.

Isolation

Since 1961 I have visited more than 100 monastic sites (monuments and ruins) in Europe and the Middle East, and a number of living monastic communities. Among the more famous are Monte Cassino, Assisi and Ravenna in Italy; Cluny, Mont St. Michel and Avignon in France; Montserrat, Avila and Toledo in Spain; Armagh, Kells and Mellefont in Ireland; Iona (Scotland);

Westminster, Whitby and Canterbury in England; Zagorsk (USSR); Ribe (Denmark); Meteora, Mystras and Mt. Athos in Greece; Göreme (Turkey); Qalat Sem'an (Syria); St. Catherine's (Sinai, Egypt); plus numerous others in Jordan and Israel.

Some of these convents were located in or near population centers, usually because they were affiliated with a cathedral or holy place, but many, as in the examples underlined above, were physically very isolated. Monks sought refuge from the everyday world.

The Trappist monastery of Latroun, which I visited in 1962, was located in no-man's land between Jordan and Israel. But its real isolation is its strict rule of silence and a life apart. The guestmaster told me that he had come from Europe and that during his seven years at Latroun he had never been outside, not even to make a religious pilgrimage to nearby Jerusalem, Bethlehem or Nazareth. He might as well have been living in the same convent on Mars--his world was within its walls.

Mt. Athos (1965)

Mt. Athos is a peninsula in northern Greece (Macedonia), a steep mountain range a few miles wide and about 30 miles long, with the largest grouping of monasteries and related settlements in the world today. No females have been allowed there since the 11th century. It is the closesth approximation to early Christian monasticism one can find anywhere.

> To visit Mt. Athos one must obtain a special permit called a *diamonitirion*, which could be viewed as a passport into time past. To begin with, the date on it looks wrong, since the monks still use the Julian calendar, about 17 days behind our Gregorian version. Clocks have to be reset each day, because the first hour after sunset is 1:00 A. M., except for one monastery where it is the first hour after sunrise and another which has gone modern. In any case, working clocks are a rarity. To monks the day's rhythms are sounded on wood and iron gongs (*semantra*) announcing the divine services.
>
> In Western civilization peace on earth has rarely been realized for any length of time except in isolated communities of peace within societies at war. Sometimes these communities have influenced the balance of men toward divine-humanity, transmitting knowledge and values.
>
> Monasticism is a special kind of world within and apart from the world at large, a retreat from normal vicissitudes and violence to a more secure, unhindered quest. Since religion is also culture, temptations remain. Freedom is found not in individualism, but in regularity, discipline, and obedience. Spending eight hours daily in prayer hardly seems excessive to those who exalt the search for spiritual salvation above all else.

Monasticism devised a life-style suitable to its goal. Shorn of personal possessions and possessiveness, assured of a fairly simple undistracted life (every day about the same as every other day), comforted by ritual, exulted by hieratic art and nature-framed-in-contemplative-perspective, novices often grew contented with this life-style as they found the goal (saving souls in agony, pursuing God) increasingly achievable.

On my last day I entered the *katholicon* (church) at Docheiariou. Slender wax tapers gave off honeyed light on to the golden halos of pictured saints – strong, wide-awake, free, frontally expressive, less aware of each other than of the spectator. There was no delicacy in them, but rather a kind of violent directness bypassing the mind for the emotions, charging the scene with primitive spiritual energy.

Incense was shaken into all quarters by a hefty old priest with the practiced dignity of years, bells tinkling musically from his censor – a ballet in slow motion. No sense was neglected. The bearded mouths sang back and forth almost in song. In the dome over us all and above the stern watching eyes of the many iconed saints was the fierce judging Christ, the *Pantocrator*.

--N. Totten, "Living Medievalism: Mt. Athos," *The New England Social Studies Bulletin* (Winter 1972), 19-20, 38-39.

IN MODERN TIMES NO KNOWLEDGE REMAINED OF THE FRIARY AT FIGUIG, NOR OF THEIR REMARKABLE REMOVAL TO AMERICA. THEIR VERY EXISTENCE WAS FORGOTTEN AND THE INSCRIPTIONS ONE OF THEM HAD LEFT BEHIND WAS MEANINGLESS TO THE FEW WHO SAW IT. TODAY, THROUGH DR. FELL'S DECIPHERMENT, THEY HAVE BEEN BROUGHT IMPORTANTLY BACK INTO HISTORY, AND WITH THIS MEMORY COMES A RESTORATION OF KNOWLEDGE ABOUT VOYAGES BETWEEN THE MEDITERRANEAN AND AMERICA IN THE 5th AND 6th CENTURIES A.D.

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Acknowledgements

During a recent visit to Morocco I was singularly impressed by the living continuity of its finest artistic traditions, especially the *arabesque* (so tastefully used in such disparate structures as the Tomb of Mohammed V in Rabat, the private home of Judge Moulay Idriss Camravi in Fez, and the Miramar Hotel in Mohammedia, near Casablanca). I am most grateful for the hospitality extended to me and friends by H.R.H. Prince Moulay Abdallah, and by his chargé d'affaires, Monsieur Mustafa Mzabi.

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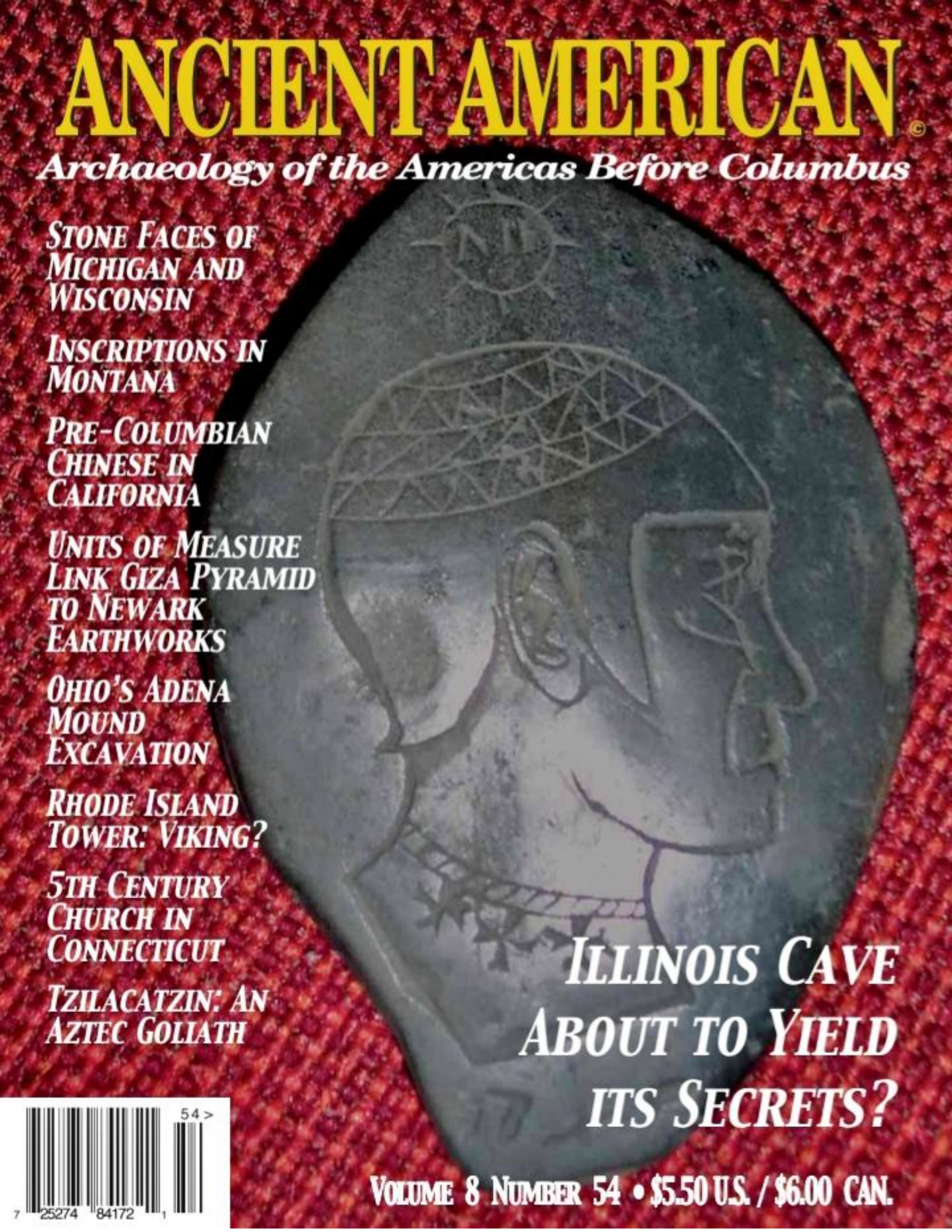
Archaeology of the Americas Before Columbus



STONE FACES OF MICHIGAN AND WISCONSIN

INSCRIPTIONS IN MONTANA

PRE-COLUMBIAN CHINESE IN CALIFORNIA

UNITS OF MEASURE LINK GIZA PYRAMID TO NEWARK EARTHWORKS

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ANCIENT AMERICAN

The Voice of Alternative Viewpoints

Volume 8 Issue Number 54

The purpose of *Ancient American* is to describe the true prehistory of the American continent, regardless of presently fashionable belief-systems, and provide a public forum for certified experts and non-professionals alike to freely express their views without fear or favor.

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Cover: ***A never-before-published photograph of one of the more than 7,000 artifacts so far retrieved from an underground site in southern Illinois. See our story on page 38.***

Connecticut's 5th Century Church

by John Gallager

In the stillness of Cockaponset State Forest, southern Connecticut, near the town of Guilford, masterfully carved from solid rock, stands North America's oldest Christian church. Recent epigraphic evidence found here suggests that it is 1500 years old, and linked to a voyage of Christian Byzantine monks who fled from North Africa during the 5th Century, in the wake of the Vandal invasions. Greek and North African inscriptions, Greek cupule patterns in the form of Chrismons (monograms of Christ), baptismal fonts, a cathedra or throne, candelabras and an altar have been found at the site.

These items indicate that it was a place of worship, an Early Christian Church. The artifacts are illuminated by Libyan Arabic texts found at Figuig (Hadj-Mimoum), a remote oasis in eastern Morocco, in 1926. They tell of a voyage undertaken by North African Christian monks sailing "toward the setting sun," to "Asq-Shamal," the "Northern Land," suggestive of North America. A diffusionist scholar, Frederick J. Pohl, who studied the Figuig inscriptions during the 1960s, placed the monks arrival in North America at about 480 AD.

About 40 years ago, he was told of some strange carvings on stone in the Connecticut woods, and obtained the services of a local a physician as a guide to their location. As the author of several books describing Norse voyages to America, Pohl anticipated Viking origin for the Connecticut inscriptions. Seeing them in person, however, he knew at once that they were not 10th Century runic, but belonged to something entirely different and much older. Seeking clues from the immediate environment, he noticed a nearby cove suitable as a land-fall for ships was visible from the inscriptions.

When I first met an older Frederick Pohl at his home in Brooklyn, New York during 1976, he asked me to go to the site, look it over and see what I could make of it. For two and a half years thereafter, I regularly visited the site gathering information, taking photographs and making drawings, followed by long hours investigating source materials in public and university libraries. Together with Pohl, I sought out the opinions of other experts in pre-Columbian matters. Their insight combined with diligent, independent research to reveal the Guilford location as an Early Christian Church and Baptismal site of Byzantine Greek North African origin. Epigraphic evidence identified its construction or carving by Christian monks who voyaged to Connecticut from North Africa in the mid-5th Century.

"Main Altar" with Greek Doric style plinth. To the left is fish-shaped cupule (holes) pattern. Both hold candles for ceremonies. Photos courtesy of the author.

Flame-shaped Baptismal Font representing the Holy Spirit. Here the elderly were baptized by pouring water over their heads.

To understand the origins and reasons behind this 1600 year-old undertaking, something about the history of the Early Christian Church during this period is needed. By 430 AD, more than 600 bishops operated across North Africa, mostly in Tunisia, where Christianity sank its roots in the Dark Continent at the ancient Phoenician port-city of Carthage. From the beginning, the new faith was a tale of violence and heresy. Under Emperors Decius (249 to 250), Valerian (257 to 259) and Diocletian (245 to 313), many Christians everywhere were arrested, tried and executed on charges of theological or political subversion, because they characterized the deities of all other faiths as "devils" and called for the downfall of the Roman state.

Meanwhile, fanatic followers of Manichaeism, Montanism, Pelagianism, and a dozen other, largely forgotten heresies fought bitterly between themselves

"Overflowing Fountain" sculpture containing fishes. The fishes are the newly baptized Christians swimming in the "waters of eternal life."

for control of Christianity. Among them was Arianism, after a late 4th Century Alexandrian priest who preached against the alleged divinity of Jesus. Arius claimed that the Christian Holy Trinity was a descending Triad with only the Father as the true God. Jesus was considered the Son of God, but only through by grace and adoption, and was neither co-equal nor co-eternal with the Father. Because they stressed the human nature of Christ, Arius and his followers were condemned as heretics by the Councils of Nicea in 325 AD and fifty-six years later in Constantinople.

Even so, Arianism spread to throughout the Germanic tribes of Northern Europe. Fleeing from other barbarians, the Vandals crossed into North Africa during early the 5th century, remaining there for over a century, until 534 AD. Saint Basil and Saint Augustine had introduced the cenobitic or "common life" form of monasticism into North Africa, the latter saint forming his rules for monks as early as 388 AD. Meanwhile, North Africa was ruled by six Vandal monarchs, three of whom (Geiseric, Huneric and Thrasamund) vigorously persecuted their fellow Christians in the Roman Catholic Church. Huneric sent many bishops in an attempt to purge monasticism from North Africa. Geiseric drove many monks from the deserts and mountains of eastern Libya in the latter part of the 5th Century. Only after Roman Emperor Justinian sent his General Belisarius to conquer the Vandal army in 534 AD were non-Arians able to safely return to North Africa.

Destruction wrought by the Vandals and the end of these "years of trouble" by the "trousered men"(Vandals) was vividly described in the Figuig inscriptions by a monk who returned to his homeland after the Vandals defeat. He also described the voyage of fellow ascetics to North America: "In the name of the hermitage of the fraternity now dispersed abroad, by oath sworn to Christ the Lord, the testimony of an eyewitness who has returned home by ship, that has put into the seaport, now in his homeland, a second time. Ended are the years of trouble by the trousered men."

The author wrote of destruction by fire, looting, and the eventual escape of the monastic community "toward the setting sun," to Asq-Shamal, or the Northern Land, in several ships. "Across the void of waves," guided by a "cross-staff" by which to sight positions of the sun and presumably the stars, and using calculations known only to their "helmsman," they crossed the Mid-Atlantic Ocean. After months at sea, they made landfall in an unknown country, then "ventured into the wilderness."

The inscription refers to a "North and West course from Morocco." At the southern Connecticut site, 96 holes or cupules have been found. All are in the form of Chrismons or monograms of Christ and the Blessed Mother Mary. Some are also acrostics in the shape of a fish spelling out in abbreviated Greek letters a theological statement about Christ. An acrostic is a verse or arrangement of words in which certain letters in each line, such as the first or last, when taken in order, spell out a word or motto. The Guilford holes or cupules were used for candle-like objects known as tapers. The cupule pattern of holes drilled into the rock face of an apparent altar spells out the ancient Greek Christian ICXCOYC, an acrostic for *Iesous Christos Theos Yios Soter*, or "Jesus Christ Son of God Savior."

Appropriately, it is in the shape of a fish, an early Christian symbol for "Jesus" and "baptism." When Christianity was an underground movement in Rome, its followers recognized each other by each sketching one half of a fish, connecting the two sides together to form a *Chi-Rho*, the first two letters in Greek for Christ's name (XP for XPICTOC, or "Christ"). The likeness of a candelabra has also been found at the Connecticut site, carved into the right side of the large rock outcrop referred to as the "altar." It is adjacent to the fish cupule pattern.

The candelabra features 14 holes which were used to hold candles or tapers, with a seven-level plinth or base below. The 14 holes incised into the horizontal surface of the altar niche spell out the Greek letters IC with a ligature of Byzantine style above it. "Ligature" refers to a written character containing two or more united or combined letters, such as æ. IC are the first and last letters of the Greek word IHCOC, Iesous, or "Jesus." The Byzantine style ligature above these letters, also composed of holes, binds the two letters I and C together to form the name of "Jesus." The plinth or base of the candelabra is Doric Greek in style.

Also found at the site is another cupule pattern that spells out the Greek letters MP, the first and last letters of the Greek word *Meter* or "mother," here referring to the "Blessed Mother Mary." These two forms can be seen in the former Byzantine Cathedral of Sancta Sophia in Constantinople, now an mosque. They were uncovered by archaeologists presently engaged in their restoration. The modern name of

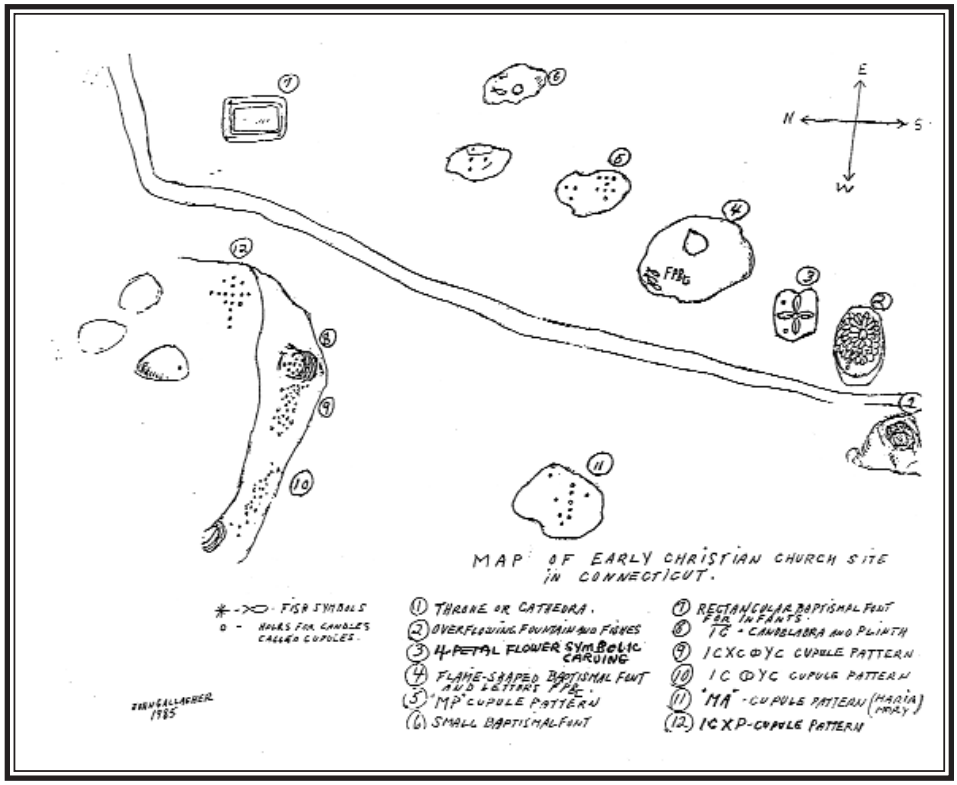
Constantinople is Istanbul, now part of modern Turkey. Flanking the mosaic of the Blessed Mother Mary and the mosaic of Christ are the letters MP OY or *Meter Theou*, "Mother of God," in Greek. On the mosaic of Christ are the Greek letters IC XC. In Byzantine Greek form with a ligature above it, the translation is *Iesous Christos*, or "Jesus Christ." These examples date from the 9th Century, but the others can be seen in Rome's 5th Century Santa Maria Maggiore, as well as from other churches of the period.

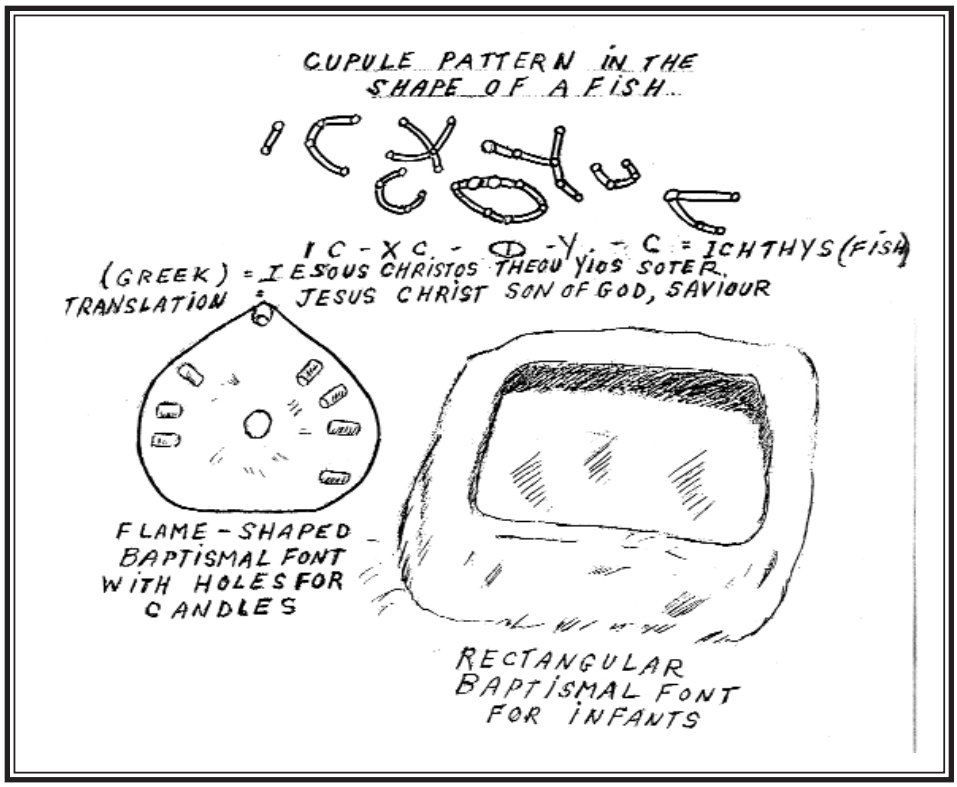
Found also at the Connecticut site are two extremely impressive baptismal fonts; one rectangular, the other in the shape of a flame, representing the Holy Spirit. The flame-shaped baptismal font is carved into a large rock outcrop which also contains the letters FPBC, probably an abbreviated form for the Latin words *Fons Pro Baptisimus Catechumen*, or "Font for the Baptism of Catechumens."

Incised into the flame-shaped baptismal font are nine holes for candles. Eight holes, when containing lighted candles at Easter, could have represented the eighth day after the Crucifixion, the Resurrection, the beginning of the New Era, also signifying a second (spiritual) birth for baptized Christians. The flame shape represents the Holy Spirit received at Baptism. The ninth hole in the middle of the font stands for the Paschal candle, symbolic of Christ. Here the elderly were baptized by effusion, or the pouring of water over their heads.

The rectangular baptismal font a short distance away was used for the ablution of infants who were lowered into its waters by a priest while baptizing them in the name of the Holy Trinity. The three times they were lowered into the font represented the three days Jesus remained in the tomb before his resurrection; the rectangular baptismal font represented Christ's tomb. A similar ceremony probably occurred at the nearby cove, where adults were baptized by being lowered into the waters three times, in the name of the Father, the Son, and the Holy Spirit.

A beautifully crafted symbolic carving representing overflowing water and fishes protruding from the waters lies nearby. It is symbolic of the newly baptized Christians (who were known as "little fishes") emerging from the waters of eternal life after being baptized.





Another carving forms a rock seat or throne in which the bishop or abbot sat while conducting a "confirmation" ceremony, presiding over the newly baptized Christians and the Baptismal ceremony itself. Carved into one of the rocks is a four-petaled flower signifying the Christ and the newly baptized Christians.

Like Jesus, believed to have flowered from the stem of Jesse and David, the newly baptized Christians were intended to bloom and flower into holy Christianhood. Such imagery was suggested by an Old Testament passage announcing the arrival of Jesus from the house of Jesse and David: "He will flower from the rod (Nazareth) and the stem (house) of David and Jesse."

Runestone Museum

Kensington Runestone is going to Sweden

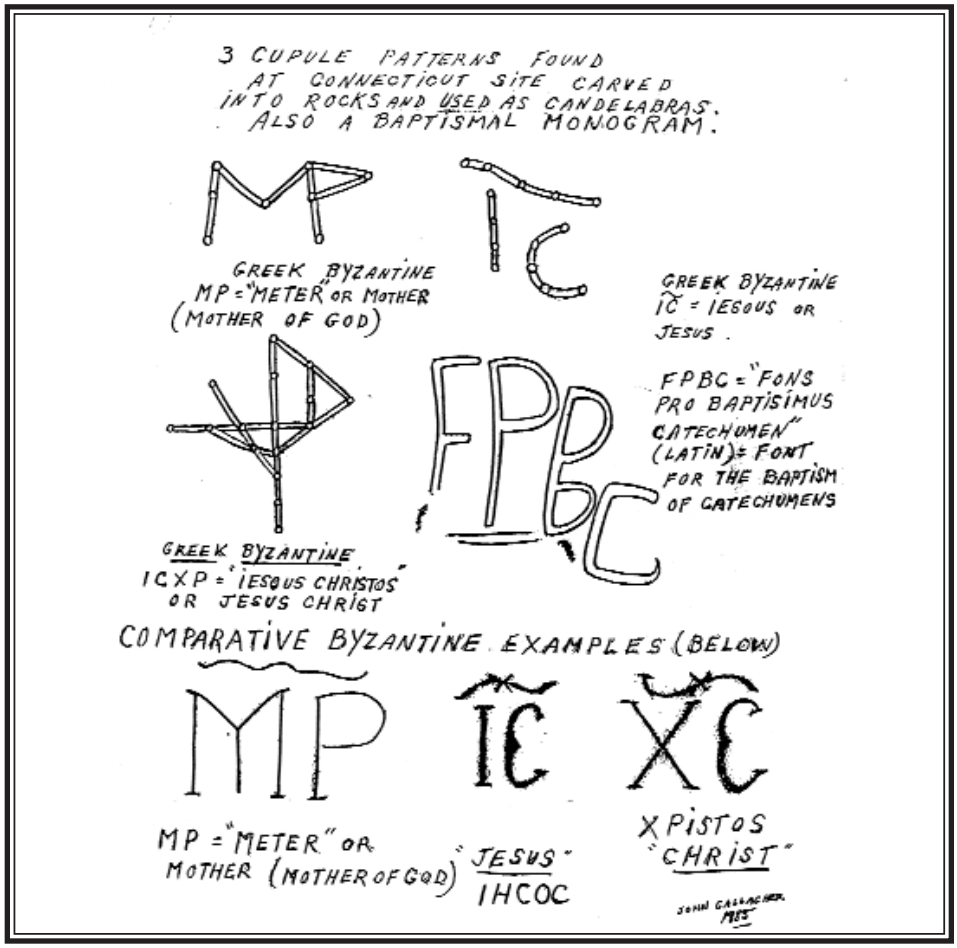
The Runestone Museum of Alexandria, Minnesota is pleased to announce that the Kensington Runestone traveled to Stockholm, Sweden in fall to take part in an exhibit of Swedish Runestones. Invitation by directors of the Statens Historiska Museum in Stockholm, Sweden, was prompted by their review of extensive new research on the stone.

Richard Nielsen of Houston, Texas, Scott Wolter of Chanhassen, Minnesota, and Runestone Museum Executive Director, LuAnn Patton traveled with the Kensington artifact to present their findings at a conference organized by the Statens Historiska Museum on October 23rd. The focus of the Swedes' research was on the geological aspects of the stone, as well as various aspects of the written language featured in the inscription.

It is truly gratifying to realize that the Kensington Runestone has at long last become a serious object of study by Scandinavian scholars after more than a century of official ridicule and indifference. Found in 1898 by Swedish immigrant farmer, Olof Ohman and his son, Edward, for years thereafter the runestone was at the center of an on-going controversy. A translation of its carved text reveals that Scandinavians arrived in Minnesota about seventy years before Columbus left Spain for the New World.

High-tech research over the past three years renewed interest in the question of its authenticity, however. Scholars, researchers, and professionals from all over the world travel to Minnesota's Runestone Museum to learn first-hand about this intriguing artifact. The Kensington Runestone will remain in Sweden until January, 2004. Meanwhile, its exact replica remains on display in Alexandria museum.

For further information, please contact LuAnn Patton, Executive Director of the Runestone Museum and coordinator of the testing team for further information; telephone (320) 763-3160; e-mail bigole@rea-alp.com



An inscription, carved in two languages, has also been recovered from the site. A scholar requesting anonymity believes one is in Mic-Mac, an Indian tongue of Nova Scotia, while the other is Greek as was spoken in Cyrene, Libya. In his translated interpretation of the inscription, the Lord is the eternal father of his children, mankind; the Redeemer has ascended into Heaven, and sits at the right hand of the Father. A word appearing in the text, Chrismon, or ICYTH-XPICTOC ("Jesus, Son of God, the Messiah") is an abbreviated form in accord with the Byzantine and North African Church of the Vandal period.

A Roman Catholic priest of New York City, Father John O'Connor, has identified the Guilford inscription as a paraphrase of the Epistle of Saint Paul to the Romans (Chapter 8, Verses 14-17 and also Verse 34). The writing style is 5th Century Greek, just when the Vandals invaded North Africa, where Lybian Cyrene was one of the oldest Christian bishoprics. Some 100 miles or more to the East, also in Libya, lay Adrimachidae from which some of the Christians who made the Connecticut carvings are believed to have originated, based on linguistic affinities between the Greek spoken there and that represented in the Guilford text.

Others who contributed to the inscription, as the Figuig Decipherment or inscription proves, were from Morocco. Since the Vandals' powerful navy controlled the western Mediterranean, these and other early Christian groups from North Africa must have endured an arduous journey to the sea coast of Morocco, before attempting to cross the Mid-Atlantic Ocean. Inscriptions, acrostics and symbolic carvings found at the Connecticut site are evidence for the arrival of these Orthodox Christians from the persecution of Arian Vandals in Lybia. Ruins of the church they built confirm their landfall in America a thousand years before the official arrival of Christianity with Christopher Columbus in 1492. n

John Gallager is a historical detective. He has a B.A. in history from Fordham University, New York City, NY. He is the former epigrapher consultant for the American Institute of Archaeological Research in New Hampshire. He has written several articles on the early explorations into North America.

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PAPERS IN HONOR OF HAROLD S. GLADWIN

PART TWO

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Epigraphic Society
Occasional Publications

Volume 2 Part II 1975

Contents

Paper No

The printing of this first edition has been made possible through the generosity of Ruth K. Hanner

In honor of Harold S. Gladwin

The Epigraphic Society

Occasional Publications
Vol. 2, No. 44 , Part 1 May 1975

The Inscribed Stone from Comassakumkanit

by

James P. Whittall II, Early Sites Research Society

Commassakumkanit is the Amerindian name for that area of Cape Cod south of Great Herring Pond now called Bournedale, Massachusetts. It is interesting to note that this name, Comassakumakanit, can be broken down into three words (comas-akum-kanit) which translated into the classical semitic (QMS-AKM-KNT) means ocean - cape - bay.

This is an apt description of the area (see map). It was this area that the inscribed stone now known as the Bournestone was found.

The stone is native and weighs approximately 300 lbs. It is 120 mm long by 45 mm wide and 15 mm in thickness. The larger inscribed characters are 11 mm and the smaller are 5 mm. They are worn, but quite distinguishable. Indications of quarrying marks can be seen at the top edge of the stone. The surface is generally level.

The more recent history of the stone is fairly well recorded. It currently is located in the Aptucxet Trading Post in Bourne which is a replica of the trading post used by the Pilgrims in 1627. This was reconstructed on the original cellar hole in 1930. It was at that time that Mr. Percival L. Lombard, President of the Bourne Historical Society, presented the carved stone to the Museum. He had acquired the stone from a Miss Fisher.

Shortly after 1658 records state that Captain Thomas Tupper began a church among the Indians who lived in the Comassakumkanit area and he then erected a meeting house near Herring River. The first knowledge of this inscribed stone is that it served as a doorstep at the mission, founded by Captain Tupper.

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However, here there is some confusion in the records of the exact location of this church as there are a variety of dates for construction and location. One location is Herring River, the other is at Herring Pond.

Samuel Sewall in his diary refers to a date of 1687 stating the church was 24' by 18' and cost 30 pounds. The records indicate that Captain Tupper died at the age of 97 in 1676. We can conclude only that the church was erected sometime between 1658 and 1676 and was located in the Herring Pond area.

In 1935 Nathan Bourne Hartford, then president of the Bourne Historical Society, stated that he had been zcquainted with the stone since his boyhood "when he traced his fingers over the figures and wondered what they meant". He further stated that the church was near Herring Pond just opposite the Indian Burying ground at Clarke's Point.

When the Indians discontinued the use of this old church, the stone was removed to the doorstep of an Indian named Andrew Jackson. This was the homestead of Katherine Parker. Later this property was sold and the stone was given by the new owners to Miss Fisher.

I believe it a safe assumption to feel that the inscribed stone was placed at the front entrance of the Mission at about the time it was built. The Indians probably considered the inscription "magic" and therefore good luck. For such a reason it was preserved and not vandalized.

We can generally conclude then that the inscribed stone was historically known in the late seventeenth century and that it was recovered in the immediate area of Great Herring Pond.

What reasoning would place an inscribed stone in this area about two miles inland from either Buzzard's Bay or Cape Cod Bay?

From Great Herring Pond, the Herring River runs into the Manumet River which flows down to Buzzard's Bay. Early sailors could have navigated up the river and left the stone at the headwaters or perhaps even in an Indian Village at the south end of Great Herring Pond.

Another theory suggested by Dr. Barry Fell is that Great Herring Pond was originally part of Cape Cod Bay. Today the pond is separated by a large swamp and sand dunes. This theory has also been discussed in THE NARROW LANDS by Elizabeth Reynard.

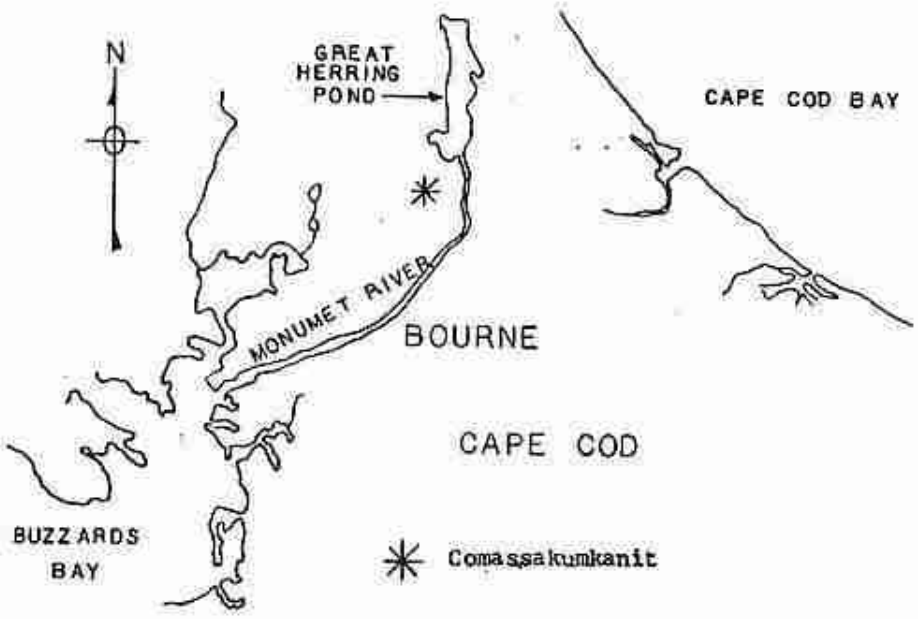

Figure 1. The find site of the Comassakumkanit stone

The ancient mariners could have approached from that side. Any site that might have existed at the headwaters of the Manumet River would have been destroyed with the construction of the Cape Cod Canal which began in 1909 and followed the course of the Manumet River right past the Herring River.

In the early 1940's Professor Olaf Strandwold studied the inscriptions. He felt that it was runic and of Norse origins. He translated the inscription after allowing certain changes in what was inscribed to fit his test. He totally disregarded the first line as intrusions of a later date. He basically searched through the complete Norse alphabet to justify his claim that the inscription read the following in Norse:

"Jesus amply provides for us here and in Heaven"

As he described it, a very "liberal" translation. No other recorded attempt has been made to translate the inscription to date.

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In honor of Harold S. Gladwin

The Epigraphic Society

Occasional Publications

Vol. 2, No. 44, Part 2 May 1975

An Iberian-Punic Stele of Hanno

by
Barry Fell
Museum of Comparative Zoology, Harvard University

The following is the substance of a report submitted to Mr James Whittall, Chief Archeologist, Early Sites Research Society, following a visit in company with members of the Epigraphic Society and the Early Sites Research Society, to the Aptucxet Trading Post in Bourne, Massachusetts, where the stone described by Whittall (1975) is now located.

The stone appears to be the original stele of Hanno, a Carthaginian explorer, taking possession of the territory around Cape Cod Bay. The inscription is engraved in two lines, all the letters being in the Iberian alphabet, as tabulated by Diringer (1968). Table 1 of this paper gives a letter-by-letter comparison of the forms used on the stele with those known from inscriptions in Spain.

On page 3 of this paper a letter-by-letter transcription is given of the text, showing the inferred word linkages. As usual in Punic-related scripts, the vowels are omitted except where stressed.

A translation of the Iberian Punic text, and an approximate vocalization, is also given. The translation is based on classical Semitic roots included in e.g. Arabic dictionaries.

This stele is to be correlated with other steles now attributable to Hanno, from such widely separated localities as Sherbrooke (Quebec), Tihosuco (Yucatan) and Hawley (Pennsylvania), all of which I plan shortly to report in this journal and in the Anthropological Journal of Canada. I wish to thank Mr James Whittall for drawing my attention to this important stele, Dr Henry Rugo and Mr Peter Garfall for arranging transportatio and other assistance, Professor Norman Totten and other members of the two cooperating Societies for valuable discussion.

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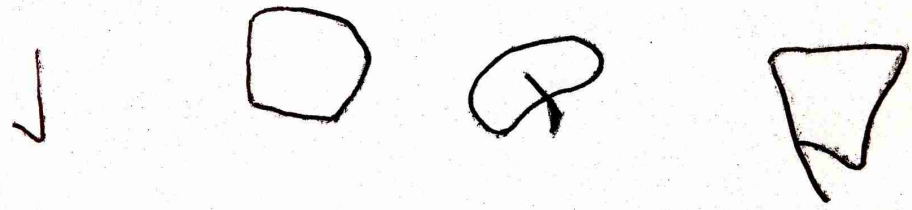
Roman	Iberian	
	Massachusetts (Bourne)	Southern Spain
b		
g		
d		
ḍ		
h		
w		
ḥ		
ṭ (th)		
q		
l		
n		
ṣ (sy)		
c (i)		
r		
ṣ (sh)		
t		

Note: Libyan h is also 3 vertical lines.

Table 1. Alphabets of the Bourne stone and southern Spain, compared.

Both lines to be read from right to left:



Ḍ ---------- c ---------- Q ---------- Ṭ (1)

P R O C L A M A T I O N

b - l - g v̌s n ----- H r -- t -- d l - c s -- w ------- h (2)

/ takes pos- / by this / Hanno / deface. / Do not / of annexation.
session.
(end)

Approximate vocalization

1. Takidh
2. hawasa. Il datar. Hannu sha galaba.

Translation

1. A PROCLAMATION
2. of annexation. Do not deface. By this Hanno takes possession.

Decipherment of Iberian inscription on the Bourne Stone, found at Komassakumkanit, Cape Cod Bay.

Phoenician sailed to America

Colonist News Services

Further indications that early travellers visited North America almost 2,500 years ago have been given by a Harvard linguist.

Prof. Barry Fell formed his theory that a Phoenician seafarer-king named Hanno sailed to the continent after translating an ancient, inscribed stone on display at a historical society at Bourne, Mass.

It is similar to a number of other stones found along the Atlantic coast, he said.

Recently Prof. Thomas Lee, a Laval University archeologist, announced that inscriptions found on three stones, discovered in Quebec near Sherbrooke, indicated that North America had been visited by North Africans 500 years before the birth of Christ.

One of the stones also referred to Hanno.

Fell and James Whittall, chief archeologist for the early sites research society of Danielson, Conn., viewed and photographed the Massachusetts stone which was found by New England settlers in 1658 and used as a doorstep at an Indian mission.

The stone, measuring 45 inches by five inches by 15 inches, bears inscriptions which had always been assumed to be Norse, but untranslatable.

After delivering a speech at the Woods Hole oceanographic institute Monday, Fell returned home and worked through the night on the inscriptions. When he was through, at 4 a.m. Tuesday, he was so excited he called Whittall.

Fell's translation of the two-line inscription:

"Proclamation of annexation. Do not deface. Hanno of this takes possession."

Fell said he believes the last sentence means, "Hanno takes possession of this place."

According to general references, Hanno was a Phoenician seafarer who explored and colonized the west coast of Africa early in the fifth century B.C. The founded seven cities and a trading post along the African coast, and probably reached as far south as the coast of present-day Gambia or Sierra Leone.

An account of his voyage, written in the temple of Baal of Carthage, survives in a Greek manuscript dating back to the 10th century A.D. Scholars consider it a translation from the ancient Punic tongue.

Fell said the inscription on the appuxet stone "is one more of the same series, evidently belonging to a second voyage that Hanno made of which the original Greek account has been lost. But the Greeks remembered that he did make such a voyage; that is to say they remembered he had circumnavigated the northern ocean."

IRA leader gets 10 years

DUBLIN (UPI)—One of the Irish Republican Army's top leaders has been sentenced to 10 years in prison for a jailbreak last August, his second in as many years. For Kevin Mallon, 37, it was the third time he had been imprisoned since first being sentenced in 1973 for being an IRA member. The IRA is illegal in Ireland.

gorde hunter

NOTES TO YOU . . . You wonder where the money goes? Tucked away in the bowels of a story on government spending, the news that William Armstrong, who has been appointed to head up the University Council of B.C., would be drawing an annual salary of

trouble getting new lines from them — besides, they would finally be gainfully employed. . . .

□

CONSERVATIVE MP Flora MacDonald, who figures to be high up in the running for

Looks Like Some King Beat You To It, Chris

BOURNE, Mass. (UPI) — If a Harvard linguist reads stone inscriptions right, a Phoenician seafarer-king named Hanno sailed to North America almost 2500 years ago.

Prof. Barry Fell translated his latest piece of evidence from an ancient, inscribed stone on display at a historical society in this Cape Cod canal community. It is similar to a number of other stones found along the Atlantic Coast, he said.

FELL AND James Whittall, chief archaeologist for the Early Sites Research Society of Danielson, Conn., viewed and photographed the stone which was found by New England settlers in 1658 and used as a doorstep at an Indian mission.

The stone, measuring 45 inches by 5 inches by 15 inches, bears inscriptions which had always been assumed to be Norse, but untranslatable.

After delivering a speech at the Woods Hole Oceanographic Institute Monday, Fell returned home and worked through the night on the inscriptions. When he was through, at 4 a.m. Tuesday, he was so exrited he called Whittall.

Fell's translation of the two-line inscription:

"Proclamation of annexation. Do not deface. Hanno of this takes possession."

Fell said he believes the last sentence means, "Hanno takes possession of this place."

According to general references, Hanno was a Phoenician seafarer who explored and colonized the west coast of Africa early in the 5th century B.C. He founded seven cities and a trading post along the African coast, and probably reached as far south as the coast of present day Gambia or Sierra Leone.

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"This (stone) comes from that voyage, which, according to our Greek sources, dates from approximately 490 or 475 B.C. They report him as a navigator from Carthage, but the rather numerous inscriptions we have now found suggest to us he was not only a navigator but rather a king of southern Spain, with his principle port Cadiz.

"He departed from Cadiz and presumably returned there," Fell said. "There's a lot of evidence and we're only just beginning to tap it now."

Fell said the inscriptions were written in a southern Iberian alphabet.

"In this particular case the alphabet used on this stone is one called South Iberian, and it was deciphered by Spanish scientists," he said. "So it's not just a case of one crackpot Harvard professor alleging that it's this. I have plenty of authorities to support me."

Professor: Phoenician may have hit America

United Press International

If a Harvard linguist reads stone inscriptions right, a Phoenician seafarer-king named **Hanno** sailed to North America almost 2,500 years ago.

people

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PRE-COLUMBIAN RESOURCES POTENTIALS: A COMPARISON OF OLD WORLD AND NEW WORLD PETROGLYPHS

By: Margaretta S. Handke
for the
Bureau of Land Management
under the
WICHE Intern Program

September, 1978

Pre-Columbian Resources Potentials: A Comparison of Old World and New World Petroglyphs

Written and Illustrated by

Margaretta S. Handke

Abstract

The purpose of this paper is to explore the possibilities for Pre-Columbian contact in the western United States by studying the petroglyphs for possible Old World scripts. It is intended to be a survey of the literature on Pre-Columbian contact and to give examples of the types of petroglyphs and scripts that BLM surveyors in the field may encounter.

While the paper remains neutral on the question of pre-Columbian contact from the Old World, the findings do suggest that the abstract symbols often found in Indian petroglyphs do occur in patterns that suggest the definite possibility that they have meaning and may someday with further study be decipherable.

The paper is divided into five units. The first gives a brief history of the diffusion controversy. The second covers the problems of rock art as a source and the difficulties of rock art research. The third describes the correspondences that can be found between American petroglyphs and Old World petroglyphs and scripts. The fourth gives a brief history of the European written sources which support contact. The final section makes recommendations for further research and for the protection of the petroglyphs.

The appendix contains examples of the rock art discussed in the third section. Footnotes and an annotated bibliography can be found at the end of the paper.

Acknowledgements

In every endeavor there are always people without whose help it could not have been successfully completed. A special thanks must go to Don Rickey whose advice and enthusiasm made this project possible. Several others made substantial contributions to the scholarship necessary for this project, They include in particular Donal B. Buchanan, Cyclone Covey, Gloria Farley, and Harold Gladwin. In addition Elbert E. Esmiol, Boulas Ayad, Bob Alex, Randy Morrison, George Carter and Walt Knudson have contributed their efforts and enthusiasm. A special thanks must also go to the Colorado State Archeologist Bruce Rippeteau and to the people who helped me in my file search at his office. I would also like to acknowledge the continuing support of Alette Hill at the University of Colorado.

Margaretta S. Handke
Boulder, Colorado
Fall 1978

Vita

The author is currently pursuing a doctorate in History at the University of Colorado. Her major field is Medieval History with minors in Ancient, Arabic, and Chinese history. She has done extensive work in scripts of the Middle Ages. In addition for several years she has pursued the field of pre-Columbian contact, Phoenician civilization, Celtic civilization, and early science.

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Pre-Columbian Resources Potentials: A Comparison of Old World and New World Petroglyphs

The words diffusion and independent invention cause a reaction among anthropologists whenever they are spoken. Thus it is not unusual that the idea of transoceanic contact between the Americas and Asia and Europe sparks controversy. When Barry Fell, a marine biologist at Harvard, published his bicentennial book America B.C., much of the American anthropology community was outraged. Although books have been published before on the subject of transoceanic contact with America before Columbus, most of these were considered frivolous by the academic community. The exceptions such as Riddles in History and Before Columbus by Cyrus Gordon were not so provocative that the academic community could not ignore them. Fell, however, attacked the problem of scripts in American petroglyphs with such new and conclusive statements that he both intrigued and irritated. His statement for trans-Atlantic contact rests on his translation of Old World languages in Old World scripts in American petroglyphs. Much of the land west of the Mississippi where petroglyphs can be found is under the responsibility of the Bureau of Land Management. Therefore it is important that its field administrators and surveyors be aware both of the major issues of the controversy and the fact that rock art sites under BLM protection are one of the major sources of information which scholars will need to examine.

The Bureau of Land Management takes no position in the controversy. It is assumed that BLM archeologists and historians have been thoroughly trained in the non-contact theory. The sole purpose of this paper is to provide a summary of information on the contact theory and explore the possibilities of scripts in petroglyphs as suggested by Fell. The material covered will be limited in scope to the areas of BLM responsibility. Thus the paper will concentrate on material west of the Mississippi.

In order to fully understand the controversy over trans-oceanic contact, one must know the history of the idea in anthropology in America. In the late 18th and 19th centuries when the early settlers started to come in contact with the mounds of the Adena, Hopewell, and Mississippi cultures, it was assumed that ancient European peoples must have built them as the American Indian culture was considered to be too primitive to create such monuments. Popular literature enhanced these claims until they reached the ridiculous. The Smithsonian decided to do systematic research on the problem and assigned Cyrus Thomas to collect the data. He and his assistants recorded the contents of over 2000 mounds in the eastern United States. In 1894 in the 12th Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution, it was determined that no evidence existed for any non-Indian contacts with America

before Columbus. The accepted paradigm is that man came to America via the land bridge from Asia at a very early stage in his culture. He brought with him only minimal tools and clothing. All major cultural developments have occurred after his arrival on this continent. Artifacts which might challenge this paradigm are routinely set aside and often claimed as forgeries. Because many American anthropologists have little training in ancient cultures outside of the Americas, sometimes the potential of anomalous finds is simply not recognized.

Because of research into the Norse sagas and archeological finds in Newfoundland, limited Norse contacts as indicated by the sagas have gradually been accepted by most scholars but this has been the only area where contact has been allowed. It is thought that this contact was too limited to have had any lasting effect on the evolution of culture in America. In 1947 Harold Gladwin challenged the non-contact theory in a book Men Out of Asia stating that men had arrived via the land bridge and also by ship across the Pacific throughout history. His book is still controversial among anthropologists.[1]

The theory that the American Indian cultures were free of contamination from the Old World has become a basic tenet of American anthropology. The American Indians are represented as a control group for anthropologists for how man develops naturally without outside suggestion. Any similarities seen between America and the rest of the world are merely the result of independent invention and to be expected because all men have similar needs and abilities. Entire generations of anthropologists have been educated and worked within the tenets of this theory to the point that for many it has become hallowed fact. In fairness, the derision of the diffusion theory is understandable when one reads the majority of fantastic literature on trans-Atlantic contacts. Many of these works lack good scholarship and often build from hypothesis instead of fact. Still there is an enlarging group of scholars putting forth cautious and well-researched papers supporting trans-oceanic contact. While extremists on both sides refuse to debate, the issue is important and the more reasonable majority should at the very least listen to the arguments and apply the rigors of scholarly discussion and criticism to the claims of both sides.

For years it has been assumed that ancient man was afraid of the sea and had only minimal ship building and navigational abilities. Because of the relatively new field of underwater archeology and increased study in ancient shipping and trade, scholars are now beginning to accept that even Bronze age men were capable of oceanic voyages. Both the warm mid-Atlantic trade-winds route and the north Atlantic route have been proven to be capable of supporting human life on long voyages. Curraghs, skin boats capable of crossing the Atlantic, were present from the eighth millennium B.C. and plank boats with oceanic capabilities were probably present from about 1500 B.C. in the late Bronze Age.[2] Similarly in the Pacific, outrigger canoes and their navigators are known to be able to cross vast stretches of ocean safely. Scholars now recognize that rivers, oceans, and seas were not a barrier for ancient man but the avenues for trade and migration.

Rock art has become important in the diffusion controversy because Barry Fell has found Old World scripts in the geometric symbols in petroglyphs. He professes to have found Punic, Iberic, Celtic, and Libyan languages in scripts from New England to California. The linquistic community has reacted to his decipherments with an even mixture of approval and disapproval. His original and main area of research is in the Pacific islands. Experts in this area accept his linquistic theories more readily. He ties Indo-Pacific languages and scripts back to Libyan languages and scripts in North Africa. His Celtic theories are the most criticized. However, his critics seem to be locked into one particular Ogam script which is found in the British Isles. Since there are records such as the Book of Ballymote which indicate that there was more than one Ogam script, their arguments may be based more on tradition than on sound criticism.

Decipherment of old scripts is a difficult and controversial field. The final test of the decipherment of any script is whether or not it can be applied to the majority of examples of that script. This process requires that experts criticize each other's work. It also requires that examples of the script be collected so it can be used to double-check the first decipherment. Thus since the claim that Old World scripts diffused to America has been made, the most logical next step both for proponents and opponents of the theory is to begin a systematic collection of rock art which may show scripts. This art is the basic source material for the arguments. To the extent that the decipherment fits the symbols in the rock art to that extent diffusion is suggested.

Rock Art

"By rock art is meant graphic representation on natural rock surfaces, in caves and rock shelters and on boulders....it is probably the most ancient of the graphic arts and has been widely practiced by men on all continents."[3] A petroglyph is a figure which has been carved, incised, pecked or otherwise engraved into the surface of the rock. Pictographs are figures painted on a rock surface.

Before launching into a discussion of what Old/New World comparisons have been found in the rock art of the western United States, it is important to recognize the problems of rock art research in anthropology today. The first difficulty is the variety of recording methods. The field is young and although much good work has been done, there is still no standard method of recording and the quality varies from source to source. The best works are more recent and have been done by Robert Heizer *et al.* in California and Nevada, Polly Schaafsma in New Mexico and Utah and William Buckles in Colorado and Wyoming. Even these works must rely sometimes on older works of varying quality.

In all the works it is difficult to evaluate the quality of recording. It is often very difficult because of erosion for the recorder to know exactly what lines to record. As one of the best recorders states: "We warn the reader to beware of placing significance in the number of dots

or line ticks or bars in a ladder design since the precise numbers of these in the original are not only often difficult to determine but also copying errors can occur. Our figures are as accurate as we could draw them, but their precision is not quaranteed as absolute."[4] The researcher simply has to trust the recorder or check the rock art himself. Often the relationship between the elements of a panel is not given. The researcher cannot tell if parts of the panel are left out. Especially in the older works individual elements are recorded totally out of context. Sometimes the recorder records what he considers to be the essence of the art present and merely notes that there were other "geometric elements." As the geometric elements may be the scripts that need to be studied, these references are tantalizingly inadequate.

Not only is the quality of the recording difficult to judge but rechecking it by the site reference would often be impossible because of lack of information. Since most site references are limited to the art itself, most give very sparse information or none at all about other cultural resources in the same area. Thus as can be seen, the field of rock art research is just past its infancy. Much needs to be done before it is totally systematized and the art can be compared and correlated with other resources. All of these problems would affect the outcome of any theory which bases itself on the rock art. The comparisons in this paper are acknowledged to be only as accurate as the sources from which the art is taken.

So far exact dating of rock art has not been possible. Estimates can be made based on the patination of the art in relationship to the rest of the rock. Sometimes it is possible to estimate age based on refuse layers covering the art. Sometimes correlations are made between other forms of art in nearby cultural deposits which can be dated. All of these forms of dating, however, are only estimates. Scholars must be careful not to attach the quality of fact to any dating of rock art at this time. Perhaps in the future new dating methods combined with the old will make it possible to date rock art reliably. Meanwhile archeologists must do the best they can. It is important that the difficulties involved in dating rock art do not prevent it from being studied. Tree ring and carbon-14 dating for other cultural resorces are still not so accurate that they are absolute, but they are used as the best possible method and the resources are evaluated. In all fairness, the study of rock art cannot wait until surer methods of dating it are developed. Rock art is an important cultural resource. It is probable that with increased study dating systems for rock art will be found.

Old World Correspondences

It is generally agreed by anthropologists that the highways of early man were the major river systems of the world. Most migration and intercultural contacts would occur using these routes. Diffusionists generally use the river systems for explaining how the ancients would have moved into western United States. Thus this paper will attempt to examine the rock art of the western states by following the major river systems: first,

the eastern rivers, the Mississippi and its branches, the Arkansas and the Missouri; and the Rio Grande; then, in the far west, the Colorado, the coastal regions and the Columbia.

Before beginning the discussion of potential scripts in the petroglyphs, we should be aware that some symbols are found in rock art worldwide and are significant Bronze Age symbols. Foremost among these are the spiral, concentric circles and the wheel. The spiral is prolific in the western United States and also in the Mediterranean, Ireland and Scandinavia. It is sometimes called the serpent and is a symbol for earth worshippers in some areas. Both concentric circles and the wheel are usually sun symbols. Often in the western United States, these symbols appear to have been combined so that the concentric circles are divided by lines radiating from the center. Several other symbols are often found in American rock art which have counterparts in the Old World. The zigzag or wavy line, often seen in pairs, is found here and in Egypt. In Egypt it is the hieroglyph for water. A symbol with two connected spirals,  , is often found in America and is thought to be connected with fertility. In the Mediterranean it is recognized as a sign for Hera, the sister and wife of Zeus and goddess of women and marriage.[5]

There are also certain symbolic or magical signs which are found on later runic monuments and are widespread throughout southern and western Europe. They demonstrate that there was a close connection between northern neolithic cultures and western Europe megalithic culture. They are considered pre-Runic symbols but they often appeared together with runes and sometimes seem to have taken the place of phonetic signs. These signs are often found in American rock art. (See Figure 1.)[6] These symbols show obvious correspondences. The problem is that they are isolated symbols and could have been created imaginatively without contact. By themselves, they are interesting but perhaps not truly significant. However, if they can be coupled stylistically with art containing Old World scripts, they would lend support to the diffusionist position.

The Mississippi is the major waterway to the interior United States east of the Rockies. The Indian mounds of the eastern United States are often found on its banks and tributaries. Poverty Point is one such complex of mounds and would be impressive in any period of North American prehistory. Before erosion destroyed some of them, there were six concentric ridges connected by radial alleyways so that the total pattern formed an octagon three-fourths of a mile across. On its outer edge is a huge irregular mound. Two others which may be bird effigies are found nearby. Most artifacts taken from the mounds are late Archaic. Radiocarbon dates for them are about 1000 B.C. or slightly earlier. This was a time of the Phoenecians greatest expansion in trade. The objects found included crude solid clay female figurines which are sometimes pregnant. Such figurines are common in Bronze Age Europe but the fertility figure is also considered to be a worldwide invention. The mounds also contain baked clay balls, cylinders and bicones which are often decorated in some fashion. These may be counters. Recently work done in the Near East on similar objects has indicated that they were used as counters for trade and suggests that the decorations on the Near Eastern objects may be a forerunner of a

writing system.[7]

This area is at the southern end of the extensive Hopewell trading network. Pearls, copper from Minnesota, obsidian from the west, smoking pipes were all a part of this trade. The copper ingots used in American trade are the same shape as those used in the Mediterranean. A significant symbol was the coiled serpent, sometimes a rattlesnake. Stone tablets have been found in the mounds along the trade routes. One at Davenport, Iowa, was translated by Barry Fell as containing a trilingual inscription in Egyptian hieroglyphs, Iberian-Punic and Libyan scripts. The Davenport Calendar Stele both in the scripts and the drawings describes a ceremony very similar to the Egyptian celebration of the New Year.[8] An elephant pipe was also found in this area. The Davenport artifacts were discredited by the Smithsonian as forgeries but fortunately the town erected a museum to house them. Thus years after they were declared forgeries, Fell was able to transcribe the tablets with knowledge of the scripts which had been developed after the objects were rejected.

Another similar incident involved a tablet excavated in the late 1880's by the Smithsonian Institution from a mound in Loudon County in eastern Tennessee. The Bat Creek inscription was published upside down in an official report in 1894. The stone was deposited in the Smithsonian Institution along with field notes and the whole set of archeological artifacts with which it was found. An alert researcher realized the inscription was published upside down and brought it to the attention of Cyrus Gordon who translated the inscription in Hebrew using an Old Hebrew script of about A.D. 100.[9] These finds demonstrate the importance of preserving all artifacts containing possible scripts whether or not they seem authentic at the time.

The State of Arkansas has set an example for other states in the area of rock art preservation. The Narrows Shelters on White Rock Road in Crawford County have been set aside as a historical site by the state. The inscriptions contain both Christian and Libyan influences. (See Figure 2.) Fell states that the upper left hieroglyph is the word "soul" because of the light rays surrounding the figure's head. In addition, the figure holds an Egyptian "tyet" amulet which is a symbol of everlasting life. Just below this is his lifeless body and just inside the grotto is the Libyan word T-W or ||† which means "raised from the dead." The same word is written on the right side of the entrance of the cave. Fell notes that the script is correct Tifinagh and could be a forgery only if it was written after 1973 when the Libyo-Egyptian language was first deciphered. He suggests that the writing style appears to be fourth century or later. It may be related to the flight of Christian monks from North Aftrica when Vandals crossed the Straits of Gibraltar.[10]

Moving westward into Oklahoma via the Arkansas River numerous inscriptions have been found in areas across the state. The inscriptions were recorded by Gloria Farley long before the present controversy on Old World scripts. In 1975 George Carter, Professor of Geography at Texas A and M University, submitted some of Farley's inscriptions to Fell, who identified many of them as Iberian scripts found in Spain. There are

four principal scripts: one used by the native Basques; one used by Libyans, a square Numidian script which came to Spain about 1500 B.C.; a pointed Punic script which came to Spain about 1000 B.C.; and a type of proto-Ogam used by the Celts about 1000 B.C. This Ogam is characterized by a horizontal line divided by groups of vertical slashes which denote letters. Often these Iberian scripts appear as bilinguals.[11]

One of the most interesting inscriptions recorded by Gloria Farley is the Pontotoc Stone found in an Oklahoma county of the same name along the South Canadian River. (See Figure 3.) The sandstone artifact was chiseled from a larger stone---a practice which is not recommended. It is now 12" by 16" by 3" and weighs forty pounds. Two Iberic scripts are found on it along with three human figures and a small ship. The scripts, Ogam Punic and Iberian Punic have been identified by Fell as part of the Hymn to the Aton by the Pharaoh Akhnaton. The rays on the tablet represent the rays of the sun. Fell suggests based on the style of the Ogam script that it be dated circa 500 B.C.[12]

Another significant Oklahoma site occurs in the area of the Cimarron River in the Oklahoma panhandle where numerous potential inscriptions are found. One is particularly interesting because it shows the relationship of a rock art picture to the script. (See Figure 4.) It is an incised horse which has been called by experts in primitive art "the most beautiful petroglyph in America."[13] The horse measures 25 inches and its lines are very faint. The inscription inscribed on his shoulder is Numidian according to Fell. In Libyan, it reads "swift-footed." The legs are incomplete which is interesting because the same depiction of the legs of a horse occurs on a vase excavated in Liria in eastern Spain.[14] If this site is verified, it will be important because all horse pictures in rock art have been presumed to be historic. This would challenge that hard and fast rule.

Another impressive Cimarron petroglyph is a 26" figure of a man holding two spears with an inscription near him. (See Figure 5.) The entire petroglyph is weathered although the top line of the inscription is fainter than the rest.[15] The inscription is probably bilingual with the bottom line being Numidian. At this time it has not been deciphered. The figure itself with its pointed shoulders is similar to figures from Big Bend, Texas, northward through Colorado, Wyoming and Montana. With further study this petroglyph may yield information about the relationships between these areas.[16]

Iberic scripts can be followed farther up the Arkansas River into Colorado. Professor Etienne Renaud of the University of Denver noted the similarity between the rock art of Oklahoma and that in southeastern Colorado. As a Frenchman, Renaud received his training in anthropology in Europe, and he has also written on the similarities between the rock art of the Iberian peninsula and that in Colorado and Wyoming.[17] Thus it should not be surprising that a site at Hackberry Spring in Las Animas County in southeastern Colorado has petroglyphs which may be scripts. The site was originally being researched in 1976 by Dr. Don Rickey, BLM historian, for evidence of an 1868 skirmish between L Company of the 7th

Cavalry and a Cheyenne war party. While in the area, he noticed several incised petroglyphs with intersecting straight lines and unfamiliar symbols. Later after a trip to Scotland where he noticed similarities between Hackberry and rock art in Scotland and after reading America, B.C., he recognized the potential significance of the petroglyphs for the question of Old World contact. This inscription was later verified by Fell as being a variant of Ogam writing in a Celt-Iberic language. One referred to a priest of Bel, and another to a king and his woman.[18] The cave where they are found has numerous other hash marks at various levels in the cave. This is entirely consistent with the appearance of many caves in Europe which are literally covered with such hash marks.[19]

Later work has been done at the site by the Colorado Archeological Society in the summer of 1978. At this time all the rock art was recorded. In addition a large Woodland pottery sherd was found at the site. Woodland pottery is a type of pottery which occurs in the eastern United States and appears suddenly without a period of progressive development. Its discovery at this site is significant because in recent years other Celt-Iberic sites are claimed to have been discovered in many areas of the east coast and this seems to imply a large trade network.[20] Aerial photos of the area studied by Elbert Esmiol, an engineer for the Bureau of Reclamation, have shown that the site may also contain extensive earthworks, both circles and a potential serpent with an egg in its mouth. At this time no excavation has been attempted in the area. The study of this site is still in progress and it is likely that its potential for information has hardly been tapped.

Nearby in the area of the John Martin Reservior on the Arkansas River are numerous other sites whose petroglyph site reports indicate that they may also contain Iberic scripts. These sites should be reviewed carefully for their protection and to ascertain the area's possible value for education and recreation. Significant sites are likely to be found throughout southeastern Colorado.

Returning east into Oklahoma many sites have been found in the Tulsa area. In a thoughtful report, Donal Buchanan, discusses four Oklahoma petroglyph sites which he and the late Alf Monge, noted Runic expert, had attempted to decipher using Runic letters. Although they were able to work out a transcription, Buchanan was never satisfied because the transcription could not be clearly translated. Taking a tip from Fell that the scripts might have a Semitic base, Buchanan was able to decipher them using north Iberic script forms and an Ibero-Punic language. The Tulsa inscription of these four inscriptions (See Figure 6.) is transcribed as D--H TI-W--M N--H and reads from right to left huna mawati had. This translates as "Here is the wasteland's edge." Each of the other transcriptions offered similar comments about boundaries when transcribed in this script.[21] Buchanan's work is significant because it independently verifies Fell's work with other Oklahoma scripts. This is the type of testing which needs to be done by researchers.

Another of the Oklahoma sites reported by Gloria Farley is called the Bache Stone after the town near which it was found in 1943. In shape the

stone has the appearance of a gravestone. At one time it was a part of a group of stones but when the site was relocated in 1968 the other stones had apparently been carted away and used as fill. Approximately 15" by 13" by 3", the stone which is fine grained sandstone tapers to a five inch base. (See Figure 7.) An inscription is carved along the top and horizontal lines occur on one edge which are similar to vertical Ogam.[22] Fell has deciphered this bilingual inscription and finds that the top line reads from right to left H-L-L H-G in a South Iberian script. This translates to be a gravestone inscription "Haga rests here." The Ogam script in the style of Cachao da Rapa in northern Portugal reads H-G and translates as "Haga."[23]

Such inscriptions are not found only in Oklahoma. Moving north similar inscriptions have been found in Missouri. Gloria Farley has reported a stone found near Willard, Missouri in 1970. It is a sandstone boulder approximately three feet square and a foot thick lying in a pasture. (See Figure 8.) Although it was damaged by a bulldozer five letters five to seven inches high remain.[24] These have characteristics which tie them to Numidian or perhaps Carian. Diesing reports that most Missouri petroglyphs are found on bluffs overlooking streams and rivers. He reports particularly on the inscriptions found near Washington State Park. Although the petroglyphs do contain some large designs, they also contain many symbols. He describes these as "concentric circles, bird tracks, snakes, spirals, cups, rectangles and squares, sun symbols, oval horseshoe shapes with a bisecting line ending in a cup and a solid circle with an attached trangle like a keyhole." [25] All these symbols as described are reminiscent of Iberic scripts. He also reports that a large sun symbol was destroyed by road builders near the park. Missouri with its rivers and bluffs is an ideal state for petroglyphs but much work remains to be done in recording them.

The central plains petroglyphs from Kansas are varied and seem to share relationships with petroglyphs and pictographs of the north central plains and also New Mexico and Colorado.[26] Further north along the Missouri River, the land flattens and it becomes more difficult to find petroglyphs. Buckles reports that there is a tradition of petroglyphs in the plains states. He reports that Denig, a fur trader, said that picture writing was practiced and understood by all the Indians of the Upper Missouri by marks on trees and pieces of bark and skin. Mallery, author in the nineteenth century of the first major work on American rock art, reported that the Shoshone made petroglyphs to indicate such things as where a person was going or what he was doing. The Mandan had a practice of placing petroglyphs and pictographs on boulders. The Mandan were thought to be white Indians and thus are often referred to in diffusion arguments. Unfortunately they died out so the arguments cannot be confirmed by studying their culture. Buckles reports that the Blackfoot often formed effigies on the ground by arranging boulders.[27]

South Dakota contains examples of both rock art and earthworks. Lewis reports that in Hughes County, there is a snake figure earthwork plus many circles, squares and cairns.[28] In light of the work currently being done on megalithic structures in the east by Salvatore Trento, an

Oxford trained archeologist who studied megalithic societies in Europe, these earthworks should be very carefully checked for alignments and also for possible petroglyphs.[29] Dick Williams in Sturgis, South Dakota, has reported that the Cave Hills near Ludlow which have been studied by Joe Gullion of Rapid City may have petroglyphs similar to those found at Hackberry Spring and in Oklahoma. As yet Gullion has not published his work. Bob Alex, an archeologist for the BLM at the South Dakota Archeological Research Center, has reported petroglyphs at Bear Butte Creek which are endangered by construction. Photos of these petroglyphs have been sent to Fell for analysis but at this time a report on them has not been received. The director of Prayer Rock Museum in Critton, South Dakota, Ivan Besse has sent pictures of the rocks which show hand and sun symbols. Hand symbols are found throughout the United States and also in Europe. There are geometric symbols near these pictures but as of yet, they have not been linked to any known script. These rocks definitely deserve more study.

North Dakota has similar sites. Reverend LeMont Carlson of Verona, North Dakota, reports an area three miles east and two miles north of Verona where there is an Indian burial ground and stone circles. He reports that one grave has been excavated and revealed a bone structure considered to be European.[30] At the present time this site has not been properly researched. At Fort Ransom, Walt Knudson, head of the Life Science Department at the State Junior College in Bottineau, reports that there is a significant writing rock. (See Figure 9.) It is possible that the inscription contains a star map.[31] The site seems to be connected with a spring. It is reported that near the writing rock there are 13 incised boulders and also some mounds. It has been suggested that the symbols in this site have affinities with rock art in southern Minnesota. Considering the resources available at this site and the potential for scripts, this is an area which deserves further study.

Moving farther west into Montana, Colorado and Wyoming, one of the major rock art styles is the Fremont. The emphasis of the Fremont is on abstract designs, particularly the spiral and concentric circle. Common designs include the shield and shield bearer, the weeping eye and the horned headdress. Many of these motifs are seen in Utah also.[32] These states seem to be an area where east meets west. Buckles has reported that the weeping eye motif of eastern Wyoming has an eastern Woodland tradition because the eye has a zigzag line instead of the diagonal line found in Fremont art.[33] Meanwhile Gebhard traces other elements up the Rio Grande through the Fremont culture and then to the plains.[34]

Etienne Renaud made the first efforts toward recording the rock art in this area. However his poineering work reports individual elements rather than entire panels. This makes it practically useless as a source for scripts. Many of the other works concentrate on pictures over symbols and thus are not useful in this type of study. Still as one works through the site reports at the Colorado Heritage Center, one cannot help but feel that the material is there to find and simply needs a central collecting agency and complete site reports including pictures such as

California has developed to make the rock art accessible to researchers.

Wyoming has a spectacular petroglyph area at Castle Gardens. This six square mile site is protected by the BLM and is registered on the National Register of Historic Places. Some of the petroglyphs at this site may be significant for pre-Columbian contact. Fell has been exploring this site and his findings should be published in the near future. There is another major rock art site at Dinwoody, Wyoming. Most of the sites reported are the magnificent shield and animal figures. Still some individual sites are worth noting. An illustration of Castle Gardens shows a panel with three shields and a picture of a man. At the center of the panel, tool groves or hash marks can be observed at least two feet over the head of the woman holding a yardstick to indicate size.[35] These tool grooves may be a script. Similarly another panel in Dinwoody, Wyoming, contains two symbols ⌊ ⌈ and a bird zoomorph.[36] This style is very reminiscent of petroglyphs found in Oklahoma.

Montana contains similar rock art. Both shield figures and rectangular men are found. One has the impression when observing the material published on rock art in the northern states that it is less prevalent than in the south. However, it is possible that it is simply not as well recorded.

Movement into the United States east of the Rocky Mountains occurred chiefly along the tributaries of the Mississippi. The Rio Grande, however, is also a navigable river system and seems to have provided the passageway into the southwest. Here also the rock art betrays a foreign presence. A Libyan inscription was found by Forrest Kirkland under a rock overhang near the Pecos River. (See Figure 10.) According to Fell, the Libyan letters read, left to right, S-Sh-Sh-N-Q-A N-B, and translate "Crew of Shishonq the King." There were several kings by this name who ruled Libya and Egypt between 1000 and 800 B.C.[37] Pebbles painted with geometric designs in Texas show similarities to pebbles from early European caves. Various uses have been suggested for the pebbles. They may be charms or perhaps counters. A few may be anthromorphic. Since it is very rare to find painted pebbles, this may be a significant link to the Old World.[38]

Another find which may be significant is the Big Bend tablet, found in a cave in the area near Tormillo Creek in Big Bend National Park, Texas. The tablet had been turned into a ranger station at Big Bend Park but has disintegrated with handling---a fate not unusual with clay tablets found in the Near East. Fortunately a photograph was taken of it. There are 81-85 letters on it which may be a combination of Latin, Greek and Semitic. They resemble a couple of Hebrew tablets in Greek found in Roman Britain.[39] There are large mounds nearby, near the hot springs in Big Bend National Park which should be excavated for more information about the area. Again this is an area where education and recreation could be successfully combined, as intensive inventory, evaluation, protection and appropriate use of important historic and pre-historic sites is a major responsibility of the National Park Service in areas of its jurisdiction.

The styles of rock art in the Pecos River region of Texas have many

points of similarity to art farther north. Polly Schaafsma has noted in particular that Barrier Canyon in Utah and the Pecos River both have similar anthromorph styles.[40]

Of all the western states where the BLM has major land managing responsibilities, New Mexico has to date supplied the most material suggesting pre-Columbian contact. Northern New Mexico has yielded a significant inscription on BLM land which has Libyan characteristics. (See Figure 11.) Randy Morrison, BLM Albuquerque District archeologist, traced the inscription from photographs of the top of a sandstone outcrop about five miles north of the San Juan River. Fell considers the script to be Libyan-Tifinagh. (See breakdown in Figure 12.) The language according to Fell is classical Arabic of the Iberian dialect. The translation would read as follows: first group, "This (place) is for the sacrement of marriage;" second group, "In seclusion implant semen in the maiden;" and third group, "As the token of marriage." Boulas Ayad, Professor of Ancient Languages at the University of Colorado, independently studied the same inscription and reported that it was in Libyan script and said that it had to do with a fertility or marriage sacrement in a hidden place. However he believes the words are more akin to Berber than classical Arabic. According to Ayad, this was a common marriage/fertility practice in the ancient Middle East.[41] The area near where the inscription is found has several other archeological features. One ruin is a few miles away, another almost 15 miles distant. Several cairns can also be found in the immediate area. The entire area should be surveyed for more information.

A similar inscription was recorded four miles north-northwest of Chaco Canyon Monument by Dr. Rickey and bears the disignation Pierre's Site. The inscription is very weathered. The symbol on the lower left may not be a part of the original inscription. (See Figure 13.) The inscription is a good example of the problems which face researchers in the field. The figures are fairly standard forms in many different scripts. Thus the possible transcriptions run a wide gamut of scripts and languages. Each transcription so far requires some modification of letters or slight inconsistancy.

Buchanan has offered two possible transcriptions. The first would use a Libyan script and reading right to left, the first line would transcribe as N-Ke G-M-D G-M. In Arabic this would translate as Nakā ḡamada ḡamma or Naka sleeps, (I) grieve. The short second segment would read N-P or napa meaning either "to be raised" or "spirit." This transcription is questionable because it uses two different "G's" and a questionable Turdetan 'M'. Buchanan's second possible transcription would use a Greek script and a Celtic language. Reading left to right, it would transcribe as G-L-D G-W-E-N or Golud Gwen. This translates as "White wealth." If this is correct the question remains as to why the author did not use the available Greek vowels of "o" and "u" in the word golud.[42] Buchanan is to be given credit for recognizing that the inscription can be read in a variety of ways and for exploring several and reporting the difficulties.

Fell suggests that with a slight change of the last "C" form to an "S" and an eroded initial letter "I" the inscripttion would read in Late Latin script and language, (I)saac ven or "Isaac came here.: There is some question as to whether or not this much deterioration has occurred in the letters.[43] Elbert Esmiol has suggested that the letters may be Ancient Greek and the inscription would then read plaizen meaning "fabricated mud houses."[44]

A short inscription is notoriously difficult to transcribe and the Pierre's Site inscription is no exception. The process of transcription involves trial and error as well as excellent training in languages and scripts. Scholars expect that there will be academic discussion prior to any final transcription and translation. Thus the layman should not be put off by the seeming confusion and contradiction as this is merely a part of the difficult process. It in no way invalidates the site as a potential inscription.

Studies in Chaco Canyon have yielded one tan on cream potsherd with unusual lettering. (See Figure 14.) The piece appears to be a rim sherd of a Kiatuthlanna Black-on-White bowl, a type common for the period in eastern Arizona and northwestern and central New Mexico. The pendant triangles are a common design element for such bowls. The style is usually dated between A.D. 800-900.[45] What is different about the potsherd is the calligraphy which is best matched with Semitic scripts particularly Square Hebrew or some Syriac offshoots of Aramaic. A suggested transcription is S-Y-W-N which translates as "Zion." The forms used date from the early centuries of the Christian era.[46] This was the first find of its type recorded but recently in February 1978, another potsherd with a potential Semitic script was found and reported by Morrison. (See Figure 15.) It is a Red Mesa Black-on-White sherd found in the Gallup area. So far it has not been deciphered.

Another apparently Semitic script was recorded in May 1977 by Brad Noisat on a smooth sandstone cliff near an arroyo north of Chaco Canyon. (See Figure 16.) The script is clearly Semitic and has been transliterated reading from right to left to G-To-B by Buchanan. So far an adequate translation has not been given. The use of the dot or Holem above the left arm of the central symbol indicates that it cannot date earlier than sixth century A.D. The script closely resembles Late Aramaic of early Hebrew coin script.[47]

Three such similar finds, each made on professional archeological expeditions, indicate at the very least that further study should be done to try to find their source. Perhaps the most likely place to start would be a survey of the area near the rock art inscription to see if any ruins or other associated cultural resources can be found.

Perhaps one of the most neglected Indian rock art sources is Inscription Rock at El Morro National Monument. The Indian petroglyphs on this rock are considered to be quaint doodlings. Note the comment in the Park Service guidebook near the most clear and interesting Indian inscription: "At this station notice the excellent petroglyphs. These are Indian, of

course, and are far older than the beautiful Spanish inscriptions above them. It is generally believed in the Southwest that Indian petroglyphs were not intended to convey any particular meaning." It is obvious that if the above attitude continues we may never know more about these Indian signs and symbols. This particular petroglyph actually has two parts: a beautiful set of carefully arranged hieroglyph type symbols similar to those mentioned above as pre-Runic, and directly below these a line of hash marks. To one alerted to the possibility of scripts the hash marks look like a cursive Latin script similar to the marks one finds on clay tablets in Pompeii. They could be a cursive form of a Mediterranean script which would be very appropriate to use on soft sandstone. If these are scripts, this particular set of petroglyphs may be a bilingual. The lower line would explain the traditionally Indian symbols arranged above it. The fact that the petroglyph could be a bilingual makes this site doubly interesting to experts. Elsewhere on the rock are found Indian inscriptions which are potentially Ogam and Libyan. Since the site is already protected and developed for visitors, it would seem logical that the Indian petroglyphs should be given as much time and study as the Spanish.

Further evidence for Old World contact turns up in several textiles found in Mule Creek Cave, New Mexico, and in an infant's grave at Tonto Monument in Arizona. The pieces were dated between 1100 and 1400 A.D. Both are woven by a complicated technique known as sprang. Sprang has been found in Scandinavia and Egypt from the Bronze Age on. It has also been found in Peru at levels dated 500 to 300 B.C. and has been the object of comparative study as it is unlikely that this method would develop independently in two places. As there has been little research into this field in America, it is possible that other examples of sprang technique survive unnoticed in collections.[48]

It has long been known that the Pima Indians have a labyrinth design which is similar to those found on Minoan coins and in Irish petroglyphs. Carl Schuster has pointed out two additional sites in the Galisteo Basin in New Mexico and in the state of Nayarit in Mexico. This design is too complicated to suggest independent invention for its origin. Therefore many anthropologists believe that it must have been distributed in some way by the Spanish.[49] Around the turn of the century numerous Pima chants were collected by Frank Russell from six Pima makai. Unfortunately the tongue used in the chants was so old that the interpreters were only able to give an approximate translation. Fell recognized that the sound structures were similar to an Iberic dialect of Arabic and has been able to translate two of the chants, The Wind Song and the Creation Chant. The translations match the titles given by the makai. They are essentially the same as two old Mediterranean myths.[50] Considering that the chants and the maze coincide in potential origin and that it is unlikely that the Spanish would contribute Mediterranean myths to the Pima religion, it would seem that the Pimas deserve further study. If linquists have objections to Fell's work in this area, one would hope that the scholars of American Indian languages would present them in the journals. Otherwise the two elements together constitute a formidable piece of evidence.

Polly Schaafsma has produced an excellent book on the rock art of Utah based on the Donald Scott Collection at the Peabody Museum at Harvard. She has broken Utah stylistically into three styles: Virgin Kayenta, Fremont and Barrier Canyon which she relates to the Fremont and to the area of the Pecos River in Texas.

Very little is known about the Virgin Kayenta. It is usually dated between 217 A.D. and 1050-1250 A.D. on the basis of its similarity to Glen Canyon Style 4 and its pottery. Eastern Virgin Kayenta is characterized by right angles both in abstract and representational forms. Most of the art occurs near habitation sites, at springs, fords, and crossings. It is not likely that it was used purely for hunting magic.[51] A design in Clark Canyon, however, is probably a hunting symbol. (See Figure 17.) It has been called a mountain sheep although it does not have their characteristic curved horn. In appearance it has a closer resemblence to an antelope. Designs of this style are also found in the Negev Desert.[52] Another set of petroglyphs occur at the junction of the Muddy River and Rochester Creek on a large boulder. The anthromorphs resemble those of Barrier Canyon. Two of the zoomorphs according to Schaafsma resemble an aligator and a hippopotamus. These figures have not been added later as has been suggested.[53] Since there are numerous hearths and debris near this petroglyph, it would be interesting to find what types of people camped there.

A third Virgin Kayenta design is found near Johnson Canyon. (See Figure 18.) The anthromorphs in the figure have many resemblences to those found at the Narrows Shelters in Arkansas. Note the anthromorph to the right of the door in Figure 2. He has similar arm positions in relation to the "corpse" and a similar hand structure. The four figures arranged in linear fashion below the designs have some similarities to the Magrib/Libyan alphabet of the fifth century A.D. although the figures at either end may be symbolic of the sun and an animal.

Another site in the area of Oak Canyon is a set of petroglyphs pecked on cliffs almost ten feet above the present ground level.[54] (See Figure 19.) They are in the right angle style typical of Virgin Kayenta rock art. The design is similar to the Magrib/Libyan script. These sites need to be studied in depth and compared carefully to Glen Canyon styles to see if there are script/design similarities in Glen Canyon.

Schaafsma's theory about Barrier Canyon and Fremont and Pecos rock art is interesting. Schaafsma ties the large trapezoidal figure in the eastern Fremont to the Basketmaker anthromorph. Likewise she ties them to Barrier Canyon anthromorphs which she demonstrates are similar to the anthromorphs of the Pecos River. The last of the anthromorphs she presents from Barrier Canyon and the Pecos River are both holding vegetative staffs in either hand. (See Figures 20 and 21.) This stance has distinct similarities to anthromorphs holding spears in either hand from Cimarron, Oklahoma, (See Figure 5.) Hackberry Springs in Colorado and one recorded by Renaud in Eastern Wyoming. (See Figures 22 and 23.) Renaud has previously noted that the petroglyphs of southeastern Colorado and the panhandle of Oklahoma seem to be connected with early Basketmaker sites

in the area. Note the similarities of headdress between Figures 20 and 23 and between Figures 21 and 22. Schaafsma has suggested that this style of anthromorph which seems to have its earliest forms in the Pecos River region develops over time and that the more complete Barrier Canyon style is pre-Fremont. These illustrations from other areas would seem to bear out her hypothesis. They also indicate the extent of culture spread possible among Indian cultures and art. It would not be unusual for scripts to spread equally as far.

Utah also has petroglyphs which are classified as Great Basin. Great Basin petroglyphs extend from eastern California to western Utah. The style is broken down into several units. The units of the most interest to this report are the Great Basin Abstract, both Curvilinear and Rectilinear. The chief abstract elements are the circle, tailed circle, chain of circles, curvilinear meander, bird tracks, zigzag lines and the snake. Curvilinear designs are the circle, concentric circle, chains of circles, sun disc, curvilinear meander, star or asterick, and snake. The Rectilinear is characterized by dots, rectangular grids, bird tracks, rake and crosshatching.[55] Some of these geometric symbols may be script elements.

One of the theories for the purpose of Great Basin petroglyphs is that many of them were "hunting magic." This is especially true for the Representational style. Archeoastronomy offers a possible explanation for some of the abstract designs. A petroglyph found in Mineral County, Nevada, is an example. (See Figure 24.) It is in an area where there are a number of stone rings. Petroglyphs are found on many of the stones in the rings. Three rings on top of a bluff have crude walls to a height of two feet. Some pieces of Shoshone Ware and Owens Valley Brown Ware were recovered in an area previously raided by pothunters. Of the two elements at the top of the panel, the left element is pecked and overlies the painted one on the right.[56] It is suggested that this is a representation of a partial eclipse. According to Fell, the symbols below are Libyan in a style about 1000 years old. The inscription reads "Mars leading." This could refer to the small dot connected to the right element which is the moon according to Fell's interpretation. The petroglyph according to Fell would appear to be saying "A partial eclipse of the Sun was seen from this site at which Mars was seen very near the Sun but slightly lower in elevation and leading the Sun. There are some problems with this interpretation because if this were a solar eclipse Mars would not be visible.[57] Secondly the symbol on the right, the "moon" according to Fell, should overlay the sun and not vice-versa as Baumhoff and Heizer have noted. Thus, assuming the petroglyph is recording an astronomic event, the event would more likely be an eclipse of the moon with Mars leading the moon across the sky. I am not able to translate the symbols on the two objects on the top but it would be interesting to know what they mean.

This reinterpretation in no way challenges the initial assumption that the petroglyphs in this area may have astronomical significance. According to Trento, the presence of the rings with marked stones would make the site applicable for more study as an observatory area. Another

site on the East Walker River falls into the same category. The possibility of reinterpretation of the events in the Mineral County petroglyph is an indication of the difficulties of interpreting petroglyphs. Fell had to rely on a 30 year old picture which very likely was not in color and the overlay was not clear. This is typical of the pitfalls of rock art scholarship.

Fell's interpretation that the script is Libyan finds support in another petroglyph in California which contains a longer inscription in a style which is Libyan. (See Figure 25.) It was found on a rock on a mountain adjacent to the Mojave Desert by Dr. Edward J. Pullman of the ULSL Exploration Company. According to Fell, from left to right and from above downwards, the inscription reads S R-Z, R-Z, W-R Z-MT. This translates "All Men, Take Care, Take Care, Great Desert." The style of the script suggests a date several centuries after the birth of Christ.[58]

There are other potential Mediterranean scripts in the Great Basin area. One such petroglyph is found in Owens Valley near Birchim Canyon and Rock Creek. (See Figure 26.) The inscription is on a flat boulder and contains several curvilinear designs. It is the only petroglyph in Owens Valley with a border and was called by Steward a "Tablet Stone."[59] The symbols on the stone are similar to the Asianic alphabets having their best match with Carian. The Carians were described as belonging to a definitely non-Indo-European people of Asia Minor. The first examples of their script came from Egypt, Nubia and Ethiopia. The script seems to contain syllabic as well as letter forms. At this time no successful interpretations of the language of the script have been made although a Soviet scholar Sevoroskin has tried to relate it to the Hittite-Luvian language.[60] Similar Carian-like signs can be found in other parts of the Valley. Other petroglyphs in the area show definite Numidian (also called Old Libyan) characteristics. An example is the petroglyph in Inyo County which is an extensive series of pecked petroglyphs in six groups on a malpais wall on the east side of a ravine behind Prospect Hills. (See Figure 27.) This figure is obviously carefully lined and arranged. According to Steward, bits of slate found in an Indian burial near Bishop show many of the geometric characters found on the rocks.[61] Whatever the verdict on possible Old World contacts, it should be noted that symbols repeat themselves over and over in Owens Valley. They also have in many cases a definite pattern of placement. These factors would make them worth studying as a possible Indian script.

California is one of the best reported states for rock art. Few counties or areas are without reports. Even with the state's efficient reporting system reflected by Heizer's works, there is undoubtably much left to be done with the rock art especially in analysis. At best only a few sites can be covered in the present work.

Santa Barbara has long been known for its decorated caves. The best of which are now protected. Most of these do not appear to have potential scripts. However, one large pictograph (See Figure 28.) shows interesting similarities to a cave drawing in New Guinea.[62] (See Figure 29.) According to Dr. Sentiel Rommel, the petroglyph in New Guinea is a

Libyan instrument intended to aid in the study of planetary motions by converting the position angles from polar to ecliptic motions.[63] The Santa Barbara figure shows many similarities. Santa Barbara painted style contains many marine motifs which reflect the maritime orientation of the Chumash culture.[64] The style is most consistant with Northeast Painted Style and South Sierra Painted style and not with the other coastal counties.

A site in San Diego county is very unusual and the only one of its type noted. (See Figure 30.) It is described as a pecked petroglyph in association with bedrock mortars one mile north of Valley Center.[65] This petroglyph has similarities to Greek and may be a historic Slavic script. The animal, however, does not seem to fit.

Farther north in Fresno County red pictographs exist in bedrock on a slight rise. (See Figure 31.) These symbols are each approximately a foot high and appear to be a script. The closest Old World similarities are to early Arabic scripts. The last California script is one found on the rear wall of Bamert Cave in Amador County near Valley Springs. (See Figure 32.) It is an incised petroglyph with each letter 4" to 6" tall. It has obvious similarities to the Libyan/Tifinagh script. Other petroglyphs in the area have similar characteristics. The Tifinagh script is related to Old Libyan and is sometimes call Berber.

It is interesting that most of the potential scripts for California and the Great Basin regions have ties to Egypt. All of the scripts found in the Great Basin and California have also been used in Egypt. Egypt was in a logical position to be a major trading center for east/west trade. Still one would have expected to find more signs of Indian, Chinese or at least Mongolian scripts. Both China and Japan have historical stories of boatloads of thousands of young people sailing across the eastern sea to find a fabled land and not returning.[66] One record in the fifth century A.D. in China tells of Hwui Shan, a Buddhist priest, who set out for Fu-sang in the west and returned with fabulous stories. Another Chinese book which was originally written down in the 23rd century B.C. called the Classic of the Mountains and Seas has come to us through later copies. It has records of journeys to rivers and mountains across the "Great Eastern Sea". Only 18 of the original 32 books survived the third century B.C.[67] It has been suggested that one of the surviving books describes the Rocky Mountians. Assuming that this hypothesis is correct, one would expect to find Chinese scripts in the western United States. So far none have been found. It should be noted that if scripts were left and have not been eroded by time, they might not be recognized because the symbols of ancient Chinese are very similar to symbols which appear on rock art worldwide and they probably could not be proven as Chinese.

Rock art in Washington and Oregon with its concentration on faces is very similar to what is found in Siberia and around Lake Baikal. Excavations in Alaska have unearthed pointers and scrapers similar to those found in these areas.[68] Steward notes that the rock art in Puget Sound among the Quinault is attributable to puberty rites for boys.[69]

In Oregon the southeastern section of the state also has areas similar to the Great Basin Style. The most interesting site in the Northwest for this study is found in Yoncalla in the southwestern part of Oregon. (See Figure 33.) An isolated boulder of sandstone has several lines of hashmarks separated by horizontal bands and also contains a separate grid pattern. It has dots and shapes which are reminiscent of Tule Lake in northeastern California. These lines may be Tifinagh or they may represent a cursive form of a script. In any event, they are good evidence that hash marks or "tool grooves" are meaningful as it is unlikely that someone would sharpen a tool between the lines. These areas deserve further research.

Perhaps the most reasoned opinion on connections in rock art worldwide was made by Heizer and Baumhoff. They stated: "As with many anthropological problems we are still in the initial stages, which involve the collection of data that may serve for analysis." To make firm connections between Europe, Asia and North and South America would require "critical intercontinental comparison of designs, design complexes, techniques of manufacture, age and the like." At this point it cannot be "affirmed or denied."[70] Considering the present state of rock art research, any statements made at this time are tenuous at best.

However, opponents of the diffusion argument cannot afford to simply ignore the statements made for diffusion. As Heizer and Baumhoff point out, the issue is still open. It is a legitimate area of research. The suggestion that scripts may be found in the rock art should be reviewed critically and scientifically by experts in scripts. Categorical statements and sloppy scholarship should be avoided by all sides. It is not enough to simply believe something to be correct, it must be backed up by logic and fact. Large areas of this question yet remain to be opened up and carefully researched. It will take scholarship in many fields before the question is solved.

Supporting Historic Old World Sources

If the theory of significant trans-Atlantic contact is true, it requires several types of supporting data from European sources. First there should be a tradition of the existence of a land to the west in the literature; second, there should be a reason for going to that land; and finally, there should be a reason for the apparent loss the the literary tradtion. All three types of supporting data can be found.

Even with the destruction of the great majority of ancient literature by time, at least thirteen ancient sources have come down to us with references to land and trading in the Atlantic beyond the Straits of Gibraltar. In the fifth century B.C. Herodotus described trading methods beyond the Pillars of Hercules and Avienus described the voyages of Hanno and Himilco into the Atlantic. Plato writing around 400 B.C. was the first to mention land in the Atlantic in his Atlantis stories which were derived from Egyptian sources. Aside from the Atlantis myth, he

speaks of a major land mass which existed beyond Atlantis. Aristotle described a country beyond the Pillars of Hercules which was fertile, covered with woods and had navigable rivers. As no Atlantic islands have navigable rivers, it is reasonable to assume that he was speaking about the Americas. He also stated that the Carthaginians visited the area often. Strabo ca. 100 B.C. stated that the ancients had made longer voyages by sea than men of later times.

Diodorus Siculus, ca. 21 B.C., wrote most completely on this subject.[71] He speaks of an island off Libya (Africa) a number of days to the west, fertile and with mountains, navigable rivers and fresh water. It was inhabited by a successful and happy people. The Phoenecians were said to have been driven there by a strong wind. When the Etruscans heard of the land they had tried to send a colony there but had been prevented by the Carthaginians. The Carthaginians (Phoenecians) wished to keep it as a potential place of refuge. As the Phoenecians controlled the Straits preventing movement in and out this was not difficult. What happened when Carthage fell and Rome controlled the western Mediterranean is not known. In the first century A.D. Seneca and Plutarch reported the existence of land in the Atlantic. Pomponius Mela reported men who were washed ashore in Gaul in 59 B.C. and were presented to the Romans as gifts by the Celts. Ca. 150 A.D. Pausanias reported that a ship belonging to Euphemus of Caria was blown through the Straits of Gibraltar and across the ocean to an island inhabited by men with reddish skins and hair like horses tails who frightened the newcomers away.[72]

In 200 A.D. Aelianus stated that it was common knowledge among the Phoenecians of Cadiz that a huge island existed in the Atlantic.[73] These references are only the written information which is known to exist. The common knowledge spoken of by Aelianus was probably never recorded. We know for instance that the Celts had sea sagas telling of their rovings in the Atlantic and their boats were capable of voyaging to the Americas.[74] Likewise as science was generally more advanced in Alexandria, the possibility exists that many other sources telling of America burned in the library at Alexandria. Perhaps there are Arab sources yet to be found as there is a similar Arab tradition and many Arab and Persian sources have not been studied.

Assuming that there was knowledge of the Americas in the ancient world, the ancients would still have had to have a reason for going there. Around 1000 B.C. the Phoenecians were at the height of their power and bronze was still an important metal. Copper and tin are required for bronze. Copper was available in the Mediterranean mines but it was of low quality. A much higher grade was easily accessible in large quantities in the Michigan peninsula where it has been worked since 5000 B.C. Henriette Mertz makes a good case that the large amount of copper taken from these mines cannot be accounted for by artifacts found in the United States alone. Therefore Trento suggests that samples of copper from the Museum of Cairo or Crete be tested and compared with American ore to see if they are of similar purity and impurity.[75]

It should be noted that the Bronze Age extends back into time and

that there is no reason to simply assume that this type of contact began with the Phoenecians. Material from the eastern United States suggests early megalithic contacts between that area and Europe. Tartessos, usually placed in ancient Spain, was a major trading area prior to being taken over by the Phoenecians. The Phoenecians may have learned of the lands in the west from these early Spaniards. This contact point would explain the mixture of Celtic, Libyan and Punic inscriptions in the New World.

The Phoenecians traded actively in other commodities beside metals. The other major trade item was silk cloth dyed Tyrian purple. According to creditable Roman sources a length of silk dyed Tyrian purple and weighing about a pound cost in 300 A.D. the equivalent of a little less than $30,000.[76] This was a highly desired and profitable item. The dye was made from a specific mollusc each of which contained a small amount of the dye. It was said that Phoenecian ports were afflicted with the stench of rotting shell fish and piles of discarded shells. Eventually they wiped out the Mediterranean supply of this mollusc and had to search for other sources of dye. One such source could have been found in the cochineal, a microscopic plant lice found on the nopal cactus in Central America. The best dye comes from Oaxaca. An interesting fact is that these insects were brought into southern Tibet, Lahore, Kabril, and Nepal in an early period from an unknown source. They thrive there on a specie of cactus similar to the nopal which is also said to have been introduced. This cactus cannot have come from a near neighbor and its source is also unknown.[77] Perhaps this is an example to New World to Old World contact based on a profit motive.

As Diodorus Siculus stated another possible motivator for coming to the Americas is the need for a place of refuge. Two specific instances of this have been suggested by writers on pre-Columbian contact. One was found in Moroccan inscriptions of the fifth century A.D. from El-Hadj-Mimoun, near Fiquig which were discovered in 1921 by Flamand.[78] Written in a Libyan script in an Arabic dialect the inscriptions tell of an emigration by a group of Christian monks to Asqu-Shamal, a continent lying beyond the sunset. They were escaping from destruction by the Vandals when they crossed into North Africa. The Moroccan inscription was written by a monk who later returned home. The inscription implies that the helmsman by secret calculations knew the right course. The Arkansas inscription mentioned above might fit with this find.

The Moroccan inscription subject to its verification by other linquists is believable in its time framework. More difficult to evaluate are lead artifacts excavated from hard caliche in 1924 by various workers including a team from the University of Arizona nine miles northwest of Tucson. The inscriptions on the artifacts tell of a colony of Jews who sailed across the ocean in 775 A.D. to escape persecution in Europe. They set up a colony in the area and after 895 died out in a battle with local Indians. As the dig continued the "experts" involved became more interested in discrediting the finds than in critically examining them. As far as I can tell no expert in later Roman/early Medieval Jewish art and tradition ever examined the

find. Originally the fact that they had "A.D." dates was used to discredit them but Professor Covey, an historian at Wake Forest, is right in stating that this form was possible at that time.[79] The Latin in the inscriptions seems acceptable for the time span indicated as does the order of the statements within the inscriptions. Considering the facts of their excavation, the artifacts certainly deserve a re-evaluation by experts both in the Indians of the Southwest and in Medieval Jewish traditions. In addition since the excavations were incomplete because of the controversy surrounding them, new excavations in the area surrounding the original finds might be worthwhile in helping to resolve the controversy.

It is significant in both of the last two discussions that there was apparently a known tradition of how to reach the western lands circulating smong sailors during this period. These groups of people had an idea about where they were going and someone knew how to get there. In the Moroccan inscription it is also implied that they knew how to return. This knowledge is obviously not found in the Ptolemaic map tradition in the schools of Europe. Charles Hapgood, an historical geographer, believes that the tradition is found in the surviving portolan charts of the period. Portolan charts were the maps used by the sailors and are from a different tradition than the maps of the schoolmen. Hapgood bases his claim on a study of the Piris Rei's map of 1538 demonstrating that the longitudes and latitudes of that map are too accurate for their time and that the map must have been copied from an ancient tradition. This statement is based partially on the fact that there is no sign of a pattern of development of knowledge of America in successive portolan charts.[80] It should be noted though that a similar portolan chart found in the Huntington Library in Pasadena, California, the DeCano Map of 1502, demonstrates a knowledge of a small area of Brazil and has apparently accurate longitudes and latitudes for the Mediterranean, Africa and Brazil. While this fact would not explain the accuracy of the measurements, the DeCano map would imply a growing pattern of knowledge about the Americas. Another interesting fact about the portolans which show America is that they show Asia and North America as being one continent. Thus if Columbus was actually looking at a map depicting America he might have assumed that Asia did lie to the West and would exist where he found it in 1492.[81]

The question remains of how this tradition of a western land could have been lost in the schools of the continent among the educated class. The Roman Catholic Church had the major influence on what learning survived in Europe. Interestingly the issue of a continent on the other side of the globe was held to be heresy by the church in the eighth century.[82] The roving of the Celtic peoples was increased by their conversion to Christianity. The Celtic missionaries who brought Christianity to Northern Europe also brought a geography which stated that there was a continent on the other side of the world which was impossible to reach because of the Okeanos, a band of fog or smoke. Virgilius of Salzburg was attacked as a heretic by Boniface for presenting these ideas in a book, the Aethicus Ister. Virgilius' position was consider heretical by the Roman Catholic Church because these people would not be able

to know of Christ and therefore could not be saved. As God could not make so great an error, the idea of another continent must be in error. Therefore any discussion of this continent was suppressd by the Church and not allowed in the schools. Gradually it came to be regarded as a fantastic myth.

Descriptions of this herectical doctrine usually show the Okeanos as existing on what appears to be the southern half of the globe. In fact this probably would be the western half as the east was often placed at the top of the page because the place where Christ was born would logically be placed at the top of the page since Christ was the highest in the hierarchy. Additionally it should be noted that the Irish knew very well what existed to the south of them, the fog that hid the continent would have existed to the west.

The traditions of trans-Pacific contact from Asia have been discussed above in the section on the Pacific Northwest. Still there is one other tradition of Pacific contact which has not been discussed. This is the tradition that the Pacific islands were visited by an Egyptian naval fleet in 232 B.C. Fell has shown that the language of many islanders specifically Maori has Egyptian/Libyan influences. In a cavern on the coast of McCluer Bay in northwest New Guinea, inscriptions were found in 1937-38 which according to Fell's translation record an expedition sent out by Ptolemy III to seek new sources of gold and perhaps to circumnavigate the globe. The leaders of the expedition were Rata and Maui. These names correspond to the traditional leaders of Polynesian legend. Fell contends that the expedition proceeded across the Pacific and touched somewhere on the South American coast and returned. It may have touched on Pitcairn where an Egyptian inscription dated at 230 B.C. has been known since 1870. The assumption has been made that this expedition left sailors on many Pacific islands and that through them some Libyan contacts may have reached America.[83]

It would seem that material found in European sources does support the possibility of Old World/New World contact in the ancient world. The records of such a land exist in the ancient authors. There were good reasons for going to the New World both for trade and to escape aggression. In the first instance small groups of traders might not have had a major material effect on the existing culture. Certainly a sea trader would probably not have brought such items as wheels and horses. Likewise colonists fleeing persecutions would have come in small groups and although their remains should be found, they probably would have eventually assimilated. One should keep in mind that in the first case these traders would have been at a Bronze Age or even earlier level of culture and that although later colonists might have known iron they would have been of the lower classes and fleeing with very little. Perhaps they would have been unable to reproduce iron objects in a hostile environment. It would not be surprising if they assimilated quickly into the native culture perhaps maintaining their traditions orally. Writing might in time have become only magical symbols repeated by rote.

It was a common practice for traders to keep markets secret in the early periods. Since they could control access to the Atlantic through the Straits of Gibraltar, it was easy for the Phoenecians to keep their Atlantic markets secret. The Romans were known for their fear of the sea and they developed ships that did well in the Mediterranean but were unwieldy on the open sea. They were chiefly a land power and were oriented to the European continent and the Mediterranean. With the added opposition of the Catholic Church, it is not surprising that knowledge of the western continent survived into the modern era only in myths and in sailors' stories.

Recommendations for the Study and Protection of Rock Art

It is impossible at this time to make definitive statements about contact based on the rock art. There are some good correspondences but at this time there is simply not enough data about the rock art. Scientifically, it would be wrong if the collection of the data was prejudiced by the opinions of the collectors on the controversy over contact. With impartial collection, the facts should eventually speak for themselves.

At this time more study should definitely be given to the symbols in the rock art as to the possibility of various writing systems. These systems would not have to be Old World. As has been shown symbols do repeat themselves. They are not just meaningless doodling as has sometimes been suggested. As stated by Julian Steward: "Since design elements and style are grouped in limited areas, the primitive artist must have made the inscriptions with something definite in mind."[84] He notes that patterns are the same over wide areas. As has been shown the symbols often cross other lines of cultural demarkation. These symbols are also found in close sometimes linear relationship to each other. Although in his early works Heizer took a firm stand against the suggestion of Mallery that they were a type of writing,[85] in his last paper he states, "...we do not discount the possibility, or even the probability that through the application of methods which may in the future be developed, a certain proportion of western North American petroglyph designs will be "deciphered."[86] In areas such as El Morro where hash marks occur directly below pictorial symbols, we may have two scripts giving the same information. If by careful research, types of writing are found to be present in American petroglyphs in significant numbers, it could greatly expand our knowledge of pre-Columbian and world history.

It is significant that rock art symbols are often found in areas where Indians do not live full time. As they are found on trails as at El Morro, on rocks at forks in rivers and near water, some of them may contain directional information. Steward, however, has noted that the elaborate combinations of connected circles and wavy lines are not just maps. Although this may be true in some instances, Steward himself examined many of them and compared them with the countryside without success.[87] Still they may be useful tor tracing movements of Indian groups and traders.

Worldwide petroglyphs have been associated with religion. It is possible that the symbols used in petroglyphs have a religious significance and will be useful in locating Indian religious areas. The abstract of a paper given at the Smithsonian Institution on "Astronomical Motifs in Pueblo Verbal and Visual Art" notes that there is a clear relationship between ceremonial verbal and visual art in the Pueblo Indians of the Southwest. The paper compares Zuni ritual poetry of the early 20th century and Anasazi petroglyphs. It states that Anasazi rock art symbols such as the sun, moon, four-pointed star and spirals often appear near solar observation stations and shrine areas. A petroglyph on BLM land approximately 15 miles south and 2.5 miles west of Rangely in Rio Blanco county in Colorado seems to fit this description. On a disassociated boulder which seems to have tumbled from the first ledge above the creek bed is found a deeply patinated pecked petroglyph of a crescent moon over a four-pointed star. This rock as well as another in the same area with a star, crescent, buffalo, corn, houses and an Indian maiden could indicate some type of religious site.

Some symbols may be symbolic representations of stars and heavenly occurrences. It is known that even paleolithic peoples had an awareness of the movements of the heavens. A petroglyph of this type in Nevada has been previously discussed. It has been suggested that others found in the Pacific islands depict star placements at given times and therefore can be dated.

Another area in which a systematic study of petroglyph symbols could prove useful is in verifying the validity of the various tablets which seem to turn up from time to time. In the southwest this would include both the tablets found near Flora Vista, New Mexico, and the now disintegrated Big Bend tablet. The symbols on these could be compared to the rock art in the area. If they were similar the anthropologist would have at least the beginning of a set of symbols and a large enough section of a possible script to allow for potential decipherment.

It is important to remember that some geometric finds may be scripts which are historic and non-Indian. Buchanan in a paper for the BLM has indicated that at least one inscription found in Chaco Canyon in a field investigation conducted by Earl Nellar is a Cyrillic script possibly in Serbian which indicates a date of 1832. It is possible to read it as "Glory Hole" or "Glory Mine." Such inscriptions might indicate activities and movements of miners and settlers.

Another potential script located in California may be historic. It is found two miles east of the town of Genoa and is pecked on granite boulders. (See Figure 34.) These are called historic by Elsasser and Contreras.[88] Similar petroglyphs are found near Cedar City in Chalk Creek Canyon in Utah where they were discovered in 1879. Another set of petroglyphs like these were reported near Pocatello, Idaho in a letter from Buchanan. (See Figures 25 and 36.) He reports that many of the symbols are similar to symbols found in Peruvian scrolls found in

northern Peru. If on rechecking all of these sites prove similar, then they may indicate the movements of a group of people and they are potentially decipherable.

The potential usefulness of rock art in cultural studies has become recognized. Heizer and Hester have suggested that we are now at the point where enough rock art is recorded in localized areas to illustrate wide relationships and areas of origin and diffusion.[89] Buckles has shown that by correlating stratified cultural deposits and rock art, we may be able to establish sequences and eventually dates for manufacture of the rock art. It must be stressed, however, that in most western states there are still many sites which have not been recorded or need to be rechecked. Because many sites are being destroyed it is imperative that this recording be done soon.

The recorder of rock art should keep some points in mind in order to prevent the errors of the past. The recorder should remember that he is recording for posterity. He should decide the best systems for recording the site and use at least two of them. In his notes he should be sure to record which way is up and the size of the petroglyphs. The researcher should record the relationship of elements within a panel and the relationship of various panels to each other. It is important to record other cultural and natural resources in the area. Last but not least, a careful site location reference should be made.

After the art is recorded the researcher can begin to look for correspondences between groups of symbols and perhaps eventually sets of symbols may be recognized. Research should also be done in the literature for other cultural information and excavations in the area. For particularly interesting or representative inscriptions, intensive research should be organized in the area. This is especially true for areas where inscriptions represent an overlay or different styles. In this way the art may eventually be classified with other cultural remains.

When reporting inscriptions in the final report, inscription symbols should be reported as pictorial symbols not as words because the same symbols may be verbalized as different words by different researchers. Displaying symbols will allow visual correspondences to be made much more quickly and easily.

Often in recording rock art, the researchers note that the petroglyphs are so faint as to be unreadable. Often one design overlays an older group. There are new methods for enhancing and retrieving these "lost" elements using computers. This process can be done from a good photograph. Although it has not been tried on inscriptions, John Benton of Cal Tech has indicated that it should be possible to bring out faint inscriptions, and on inscriptions which have been engraved twice it may be possible to distinguish the layers. At the very least, the process will bring out lost pigments and inscriptions badly eroded.[90]

Throughout the research for this study it has been obvious that rock

art in the United States is being destroyed and mutilated at a rapid pace. Dams flood the art found along streams. Blasting for highways removes art found on canyon walls. People in their careless fashion use the rock art for target practice, chip away souvenirs or leave their signature engraved over ancient markings. All these activities are robbing the citizens of the United States of their country's heritage. It is possible that if preserved, these engravings may reveal the solutions to many of the mysteries of America's past. If some of the engravings have significant Old World connections, the rock art in America could be the key to understanding the Bronze Age worldwide.

The BLM has a definite responsibility to see that the petrolyphs on the public lands are preserved intact whenever possible. At the very least they should be adequately recorded especially when they are endangered by men or progress. A policy is needed which encourages the accurate recording of rock art on BLM lands. Whenever groups request permission to conduct digs on these lands, part of their projects should include the careful recording of rock art in the area. Whenever the BLM conducts surveys of resources in an area, the rock art should be included.

A special group should be formed made up of experts in American and European archeology, linquistics and scripts, rock art, and history who could survey some of the best BLM sites for possible Old World contact evidences; especially those which may already be set aside as National Parks and monuments. In addition, they could encourage and review projects oriented toward this area of study done on BLM land. They could act as a task force and information group to check endangered art or anomalous finds for possible scripts or Old World correspondences. It is probably not a proper activity at this time to set up a group who would be assigned the task of making a determination on contact and diffusion as much more data needs to be collected; but government agencies should do everything possible to encourage research in this area so that all the facts both pro and con can be brought out as a major contribution to advancing knowledge of the ancient history and pre-history of our land.

Illustrations

Figure 1: Symbolic or magical signs which are found on later runic monuments throughout southern and western Europe. These signs are often found in American rock art. Copied from Jensen, Sign, Symbol and Script, pp. 576-577.

Figure 2: Art found at the Narrows shelter in Arkansas. Fell says the inscriptions are Libyan and are the word T-W which means "raised from the dead.: Copied from July 22, 1977 report from the National Decipherment Center in the BLM Files.

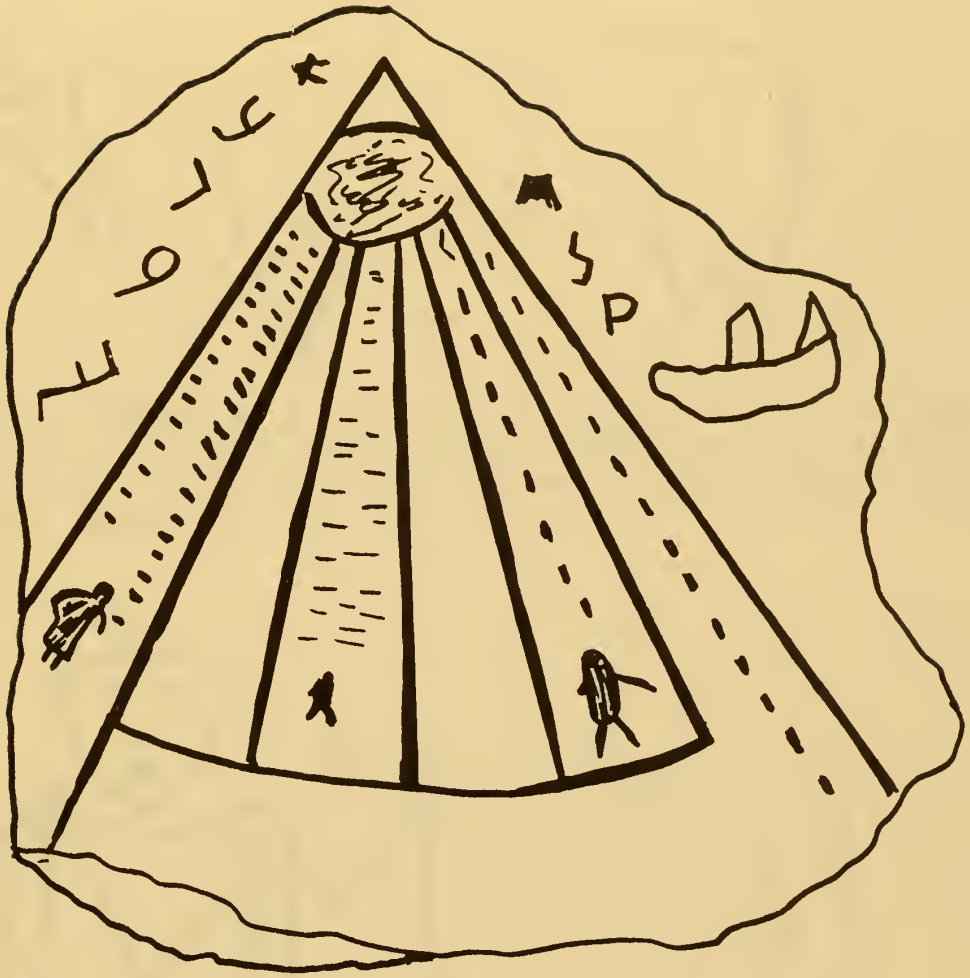

Figure 3: The Pontotoc Stone found in Pontotoc County, Oklahoma along the South Canadian River. Fell says it contains two scripts Ogam Punic and Iberian Punic and has identified it as containing part of the Hymn to the Aton by the Pharaoh Akhnaton. Copied from Fell, America B.C., p. 159. (Hash marks are not exact.)

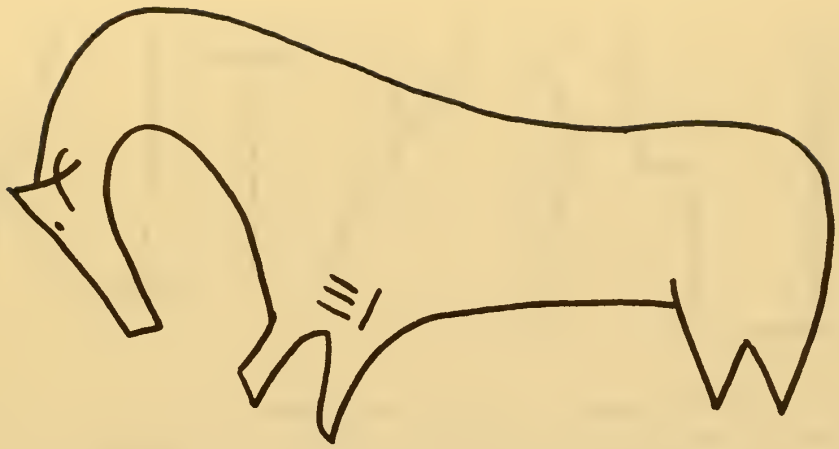

Figure 4: A picture of a horse from Cimarron River in the Oklahoma Panhandle. It contains Numidian letters on its shoulder and reads "swift-footed: according to Fell. Copied from The Epigraphic Society Occasional Papers, Vol. 3, no. 69, p. 6.

Figure 5: A man holding two spears and an inscription from Cimarron River in Oklahoma. It seems to be a bilingual script with the bottom line being Numidian. Copied from The Epigraphic Society Occasional Papers, Vol. 3, no. 69, p. 5.

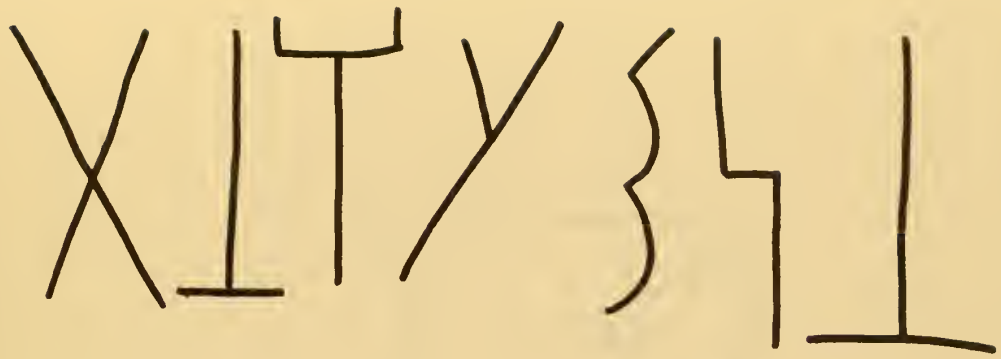

Figure 6: A Tulsa, Oklahoma inscription transcribed by Buchanan in a north Iberic script. It reads D--H TI-W--M N--H and reads from right to left "huna mawati had.: This translates as "Here is the wasteland's edge." Copied from Buchanan, "Proposed Decipherment of four Inscriptions from Oklahoma," BLM Files.

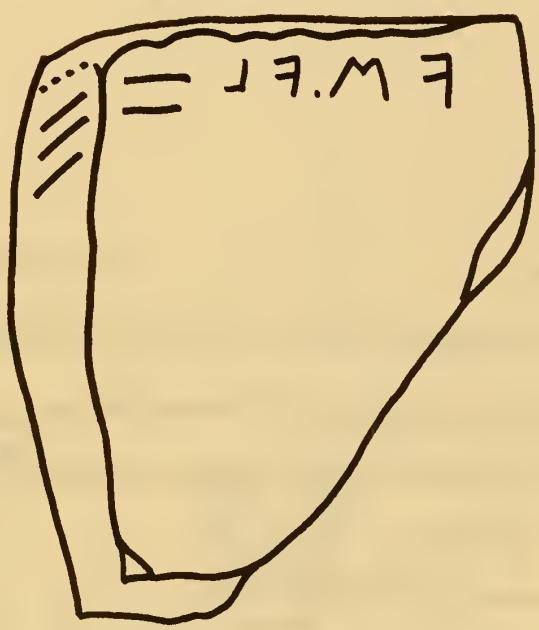

Figure 7: The Bache Stone from Bache, Oklahoma. Fell says it contains vertical Ogam and a South Iberian script. He translates it as H-L-L H-G or "Haga rests here" and H-G in Ogam meaning "Haga." Copied from The Epigraphic Society Occasional Papers, Vol. 5, no. 109, p. 26.

Figure 8: A sandstone boulder in Willard, Missouri. Copied from The Epigraphic Society, Vol. 5, no. 101, p. 20.

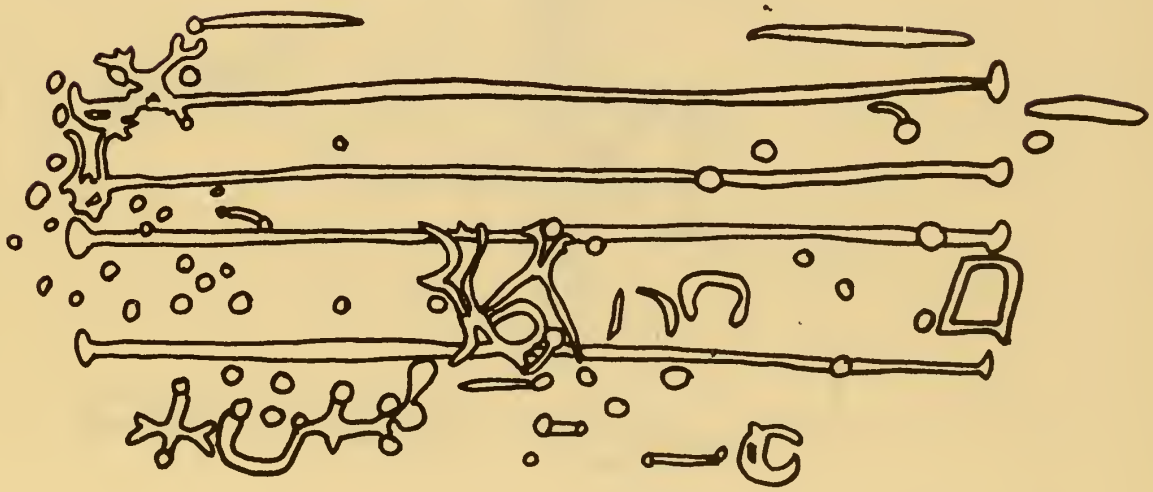

Figure 9: An inscription at Fort Ransom, North Dakota. Copied from a letter from Walt Ransom to Don Rickey, BLM Files.

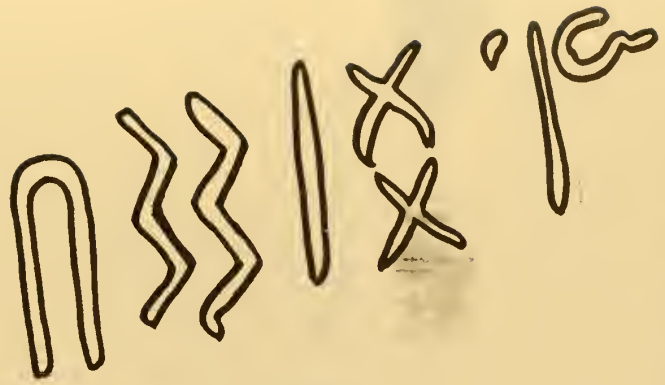

Figure 10: An inscription near the Pecos Riber in Texas. According to Fell the Libyan letters read, left to right, S-Sh-Sh-N-Q-A N-B and translate "Crew of Shishonq the King." Copied from Fell, America B.C., p. 185.

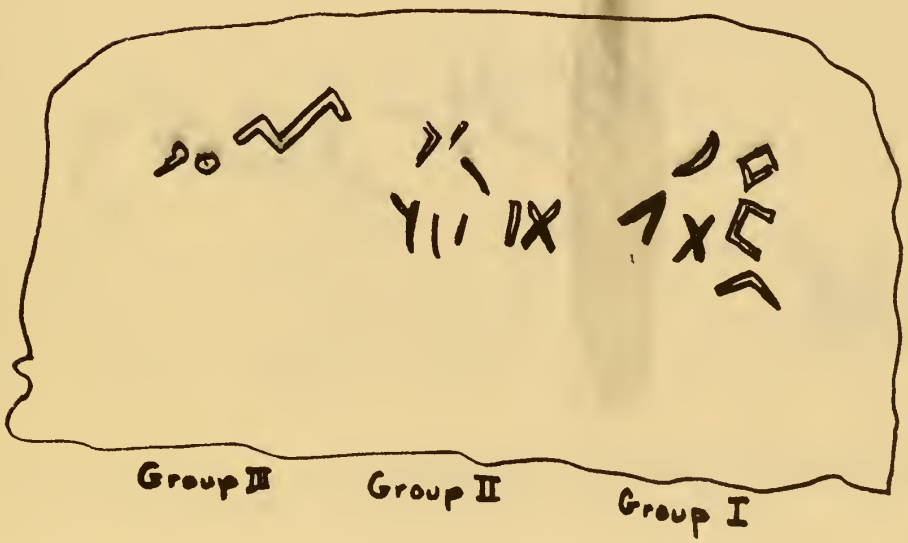

Figure 11: An inscription near the San Juan Fiver in northern New Mexico. Fell says the script is Libyan-Tifinagh. Copied from BLM Files, New Mexico, Waterflow Inscription.

Phonetic value	Diringer (1968)	Waterflow N.M.
' (ā)		
s		
r		
m		
t		
d		
n		
g		
y		

Figure 12: Breakdown of Fell's Libyan-Tifinagh letters. Copied from a report from Fell in the BLM Files.

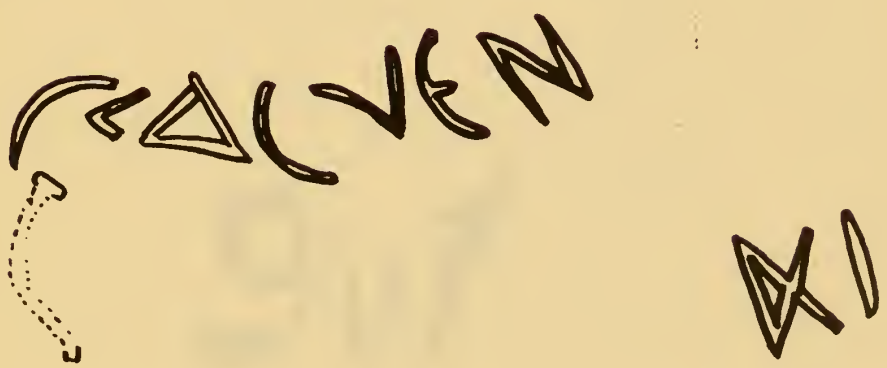

Figure 13: Inscription from Pierre's Site near Chaco Canyon, New Mexico. Copied from BLM Files, New Mexico, Pierre's Site.

Figure 14: Potsherd from Chaco Canyon. Buchanan suggests it reads S-Y-W-N or "Zion" in a Square Hebrew or a Syriac offshoot of Aramaic. Copied from BLM Files, New Mexico.

Figure 15: Another potsherd with a potential Semitic script found in a BLM collection from the Gallup area. Copied from BLM Files, New Mexico.

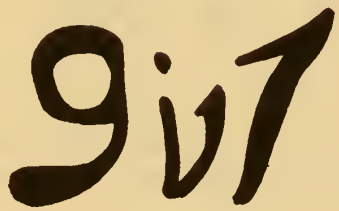

Figure 16: A Semitic script found on a sandstone cliff north of Chaco Canyon. Copied from BLM Files, New Mexico.

Figure 17: A design from Clark Canyon, Utah. It is similar to ones found in the Negev. Copied from Schaafsma, Rock Art of Utah, p. 114.

Figure 18: A design near Johnson Canyon, Utah. It is similar to the Arkansas inscription in style. Copied from Schaafsma, Rock Art of Utah, p. 114.

Figure 19: An inscription from Oak Canyon, Utah with a script that is similar to Libyan/Magrib. Copied from Steward, Bureau of American Ethnology Bulletin, no. 128, p. 236.

Figure 20: A figure from Barrier Canyon.

Figure 21: A figure from the Pecos River in Texas.

Both 20 and 21 are copied from Schaafsma, Rock Art of Utah, Figure 132.

Figure 22: A figure from Hackberry Springs, Colorado. Copied from BLM Files, Colorado.

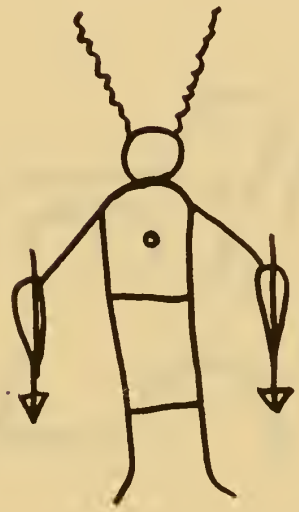

Figure 23: A figure from Wyoming recorded by Renaud. Copied from BLM Files, Colorado.

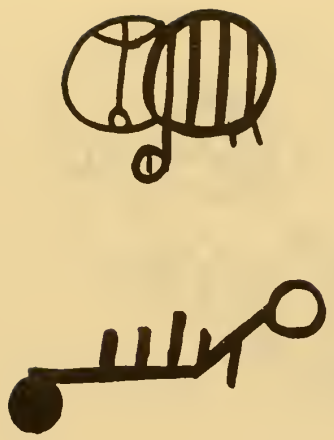

Figure 24: An inscription and figure from Mineral County, Nevada. Lower line is Libyan according to Fell and reads "Mars leading." Copied from Heizer and Baumhoff, Prehistoric Rock Art of Nevada and Eastern California, p. 169.

Figure 25: A Libyan inscription from California in the Mojave Desert. According to Fell it reads S R-Z, R-Z W-R Z-MT. This translates "All men, Take care, Take care, Great Desert." Copied from Fell, America, B.C., p. 182.

Figure 26: A petroglyph from Owens Valley, California. Perhaps a Carian script. Copied from Heizer and Baumhoff, Prehistoric Rock Art of Nevada and Eastern California, p. 352.

Figure 27: A petroglyph from Inyo County, California. Perhaps Numidian. Copied from Heizer and Clewlow, Prehistoric Rock Art of California, Figure 67.

Figure 28: A cave painting from Santa Barbara. Copied from Heizer and Clewlow, Prehistoric Rock Art of California, Figure 272.

Figure 29: A cave drawing from New Guinea said to represent an astronomical instrument from Libya. Copied from Fell, America B.C., p. 118.

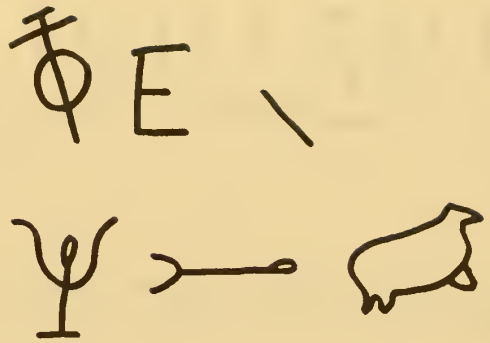

Figure 30: A petroglyph from San Diego County, California. Perhaps a Greek or Slavic script. Copied from Heizer and Clewlow, Prehistoric Rock Art of California, Figure 245.

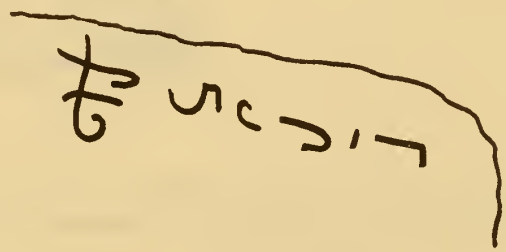

Figure 31: A petroglyph from Fresno County, California. Perhaps an early Arabic script. Copied from Heizer and Clewlow, Prehistoric Rock Art of California, Figure 14.

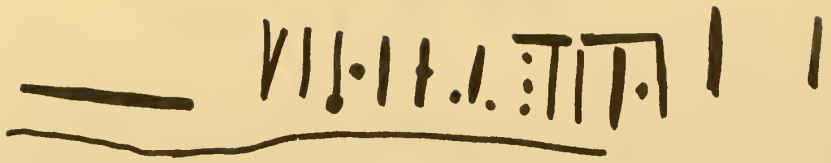

Figure 32: A petroglyph from Amador County in California. Similar to Libyan/Tifinagh. Copied from Heizer and Clewlow, Prehistoric Rock Art of California, Figure 1.

Figure 33: A rock from Yoncalla, Oregon showing hash marks and a grid pattern. Copied from Cressman, University of Oregon Monographs, Studies in Anthropology no. 2, p. 77. (Hash marks are not exact. The photograph in the article is clearer.)

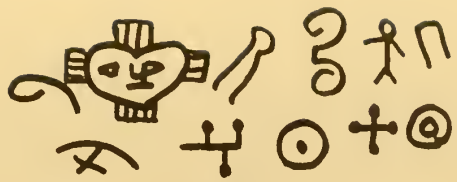

Figure 34: A petroglyph from Genoa, California. Possibly historic. Copied from Heizer and Baumhoff, Prehistoric Rock Art of Nevada and Eastern California, p. 141.

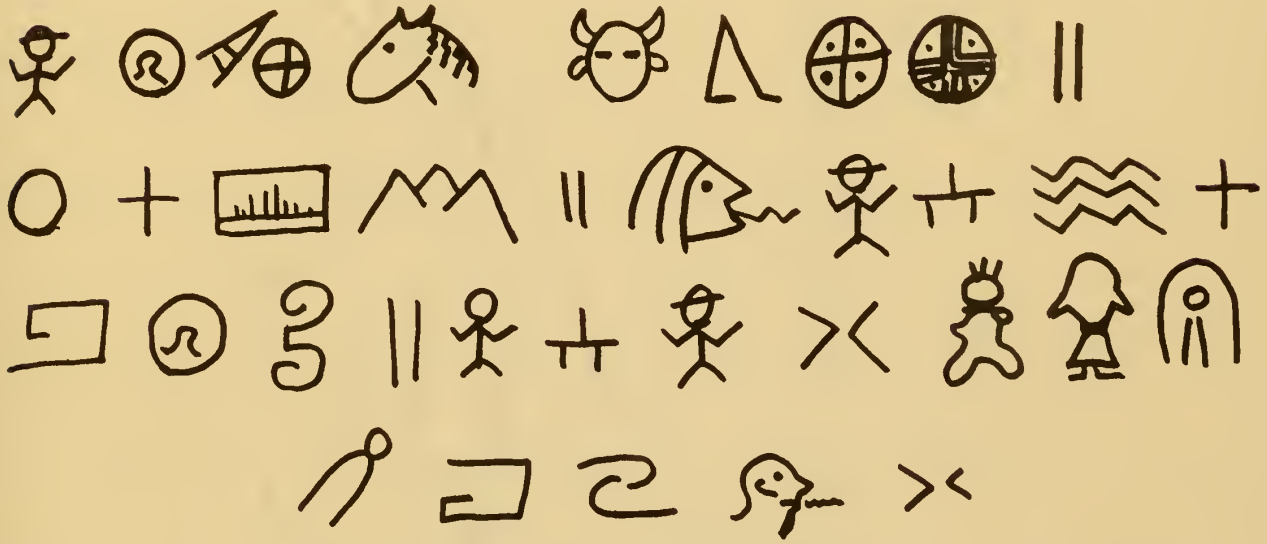

Figure 35: A petroglyph from Chalk Creek Canyon in Utah. Copied from a letter from Buchanan, BLM Files.

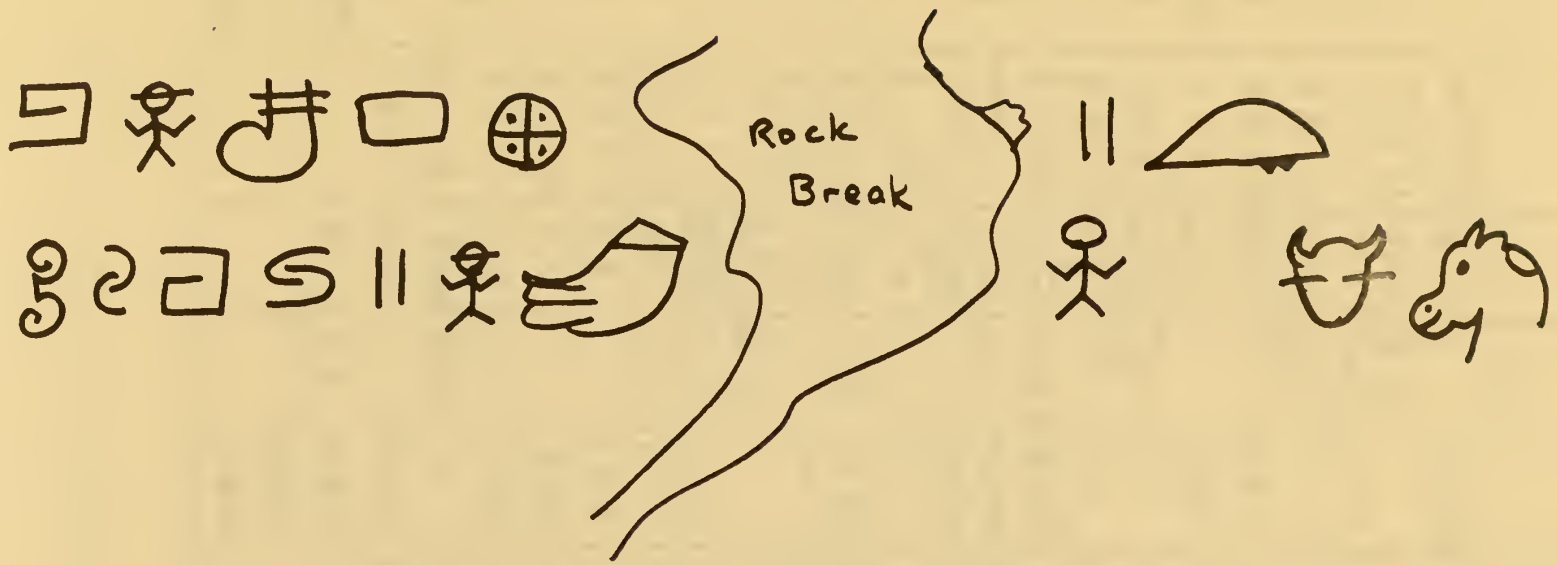

Figure 36: A petroglyph from Pocatello, Idaho. Copied from a letter from Buchanan, BLM Files.

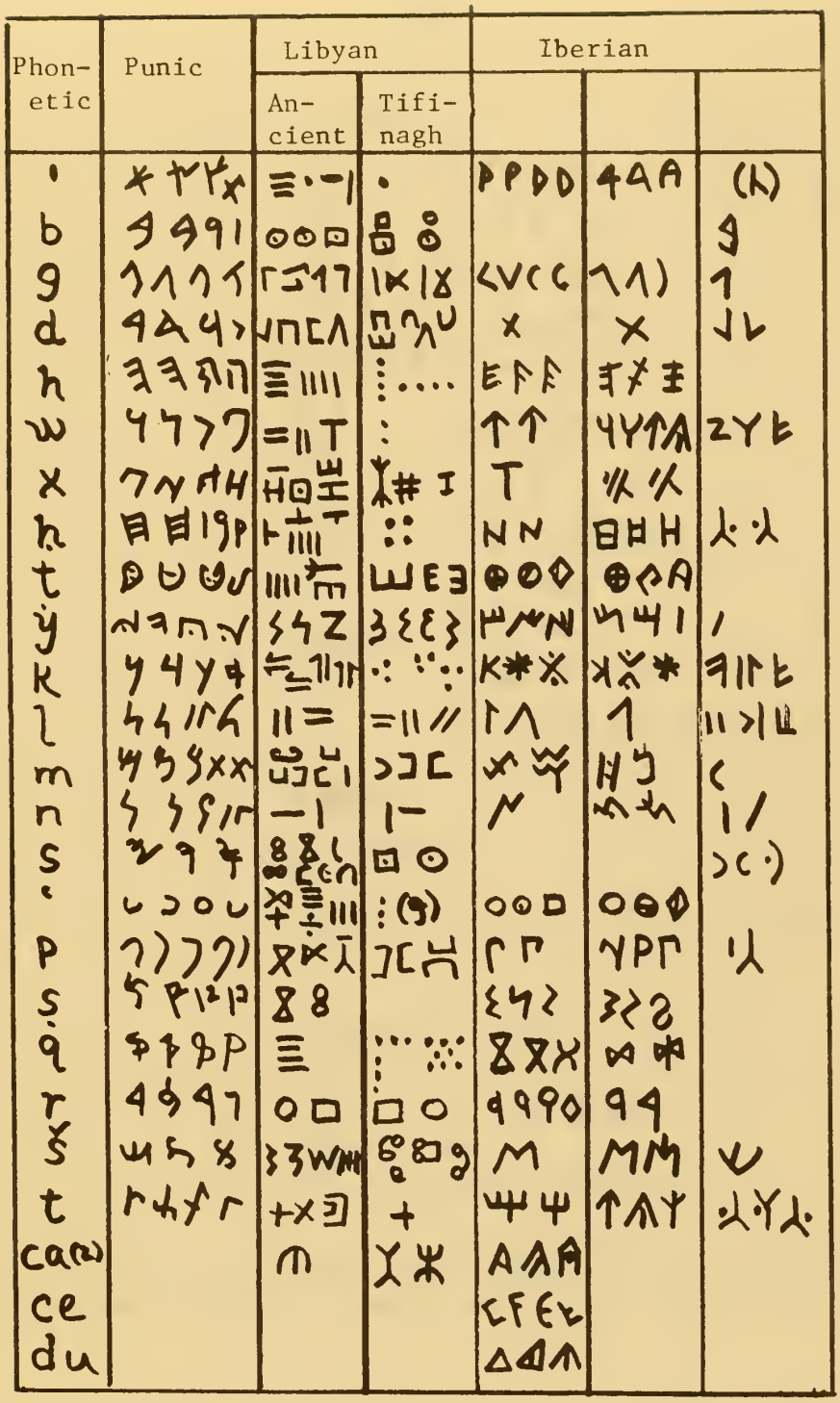

Figure 37: Copied from Diringer, The Alphabet.

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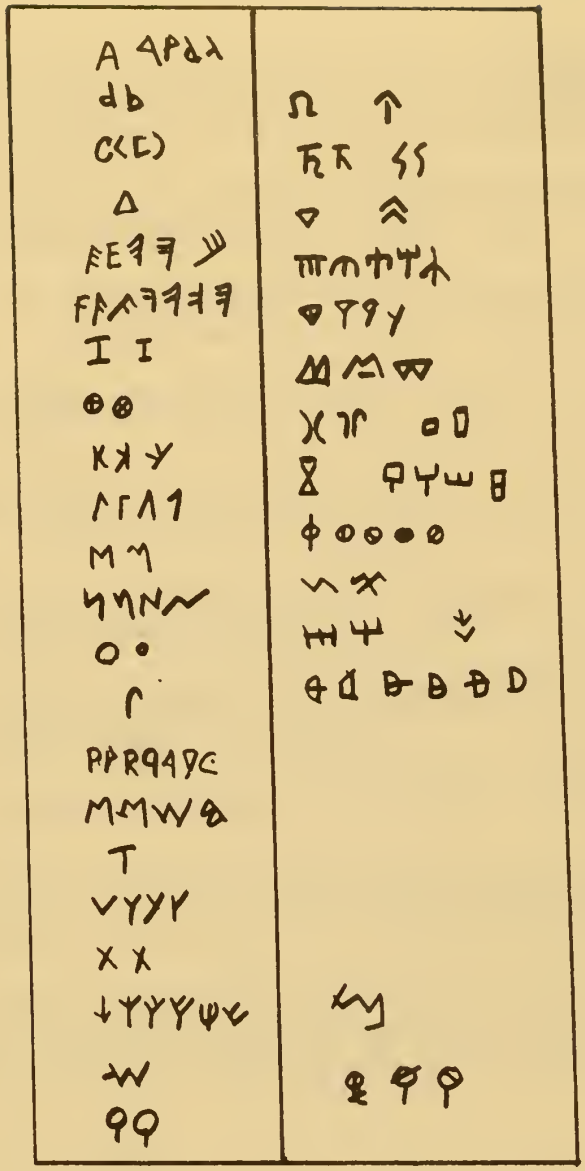

Figure 38: Copied from Diringer, The Alphabet. Figures on the left are thought to be alphbetic, those on the right to be syllabic.

Footnotes

[1]Harold S. Gladwin, Men Out of Asia (New York: McGraw-Hill Book Company, Inc., 1947).

[2]Alice Kehoe, "Small Boats across the Atlantic," in Men Across the Sea: Problems of Pre-Columbian Old World-New World Contacts, ed. by Stephen C. Jett (Austin: University of Texas Press, 1971), pp. 276-280.

[3]Forrest Kirkland, The Rock Art of Texas Indians, Text by W. W. Newcomb, Jr. (Austin: University of Texas Press, 1967), p. 14.

[4]Robert T. Heizer and Thomas R. Hester, "Two Petroglyph Sites in Lincoln County, Nevada," Unpublished, BLM Files, p. 14.

[5]James R. Bailey, God-Kings and the Titans (New York: St. Martin Press, 1973), frontispiece.

[6]Hans Jensen, Sign, Symbol and Script (London: Allen and Unwin, 1970), pp. 576-577.

[7]Denise Schmandt-Besserat, "The Earliest Precursor of Writing," Scientific American, June, 1978, pp. 50-59.

[8]Barry Fell, American B.C., (New York: Quadrangle Press, The New York Times Book Co., Inc., 1976), pp. 261-268.

[9]Cyrus H. Gordon, Riddles in History (New York: Crown Publishers, Inc., 1974), p. 145.

[10]Communication from Barry Fell, National Decipherment Center to M. D. Cantwell. Copy sent to D. Rickey, BLM Files, Arkansas.

[11]Gloria Farley, "Pre-Columbian Inscriptions in Mid-North America," The Epigraphic Society Occasional Publications, Vol. 5, no. 102. The Epigraphic Society Occasional Publications will hereinafter be cited as ESOP.

[12]Fell, America B.C., p. 159.

[13]Gloria Farley, "Inscriptions from Mid-America," ESOP, Vol. 3, no. 69.

[14]Farley, ESOP, Vol. 5, no. 102.

[15]Farley, ESOP, Vol. 3, no. 69.

[16]This site contains much more than can be reported here. See especially Fell, America B.C.

[17]Etienne B. Renaud, "Pictographs and Petroglyphs of the High Western Plains," The Archaeological Survey of the High Western Plains, 8th Report, 1936, p. 4.

[18]Don Rickey, "Potential Relationship of Two Southwestern Pre-Columbian Inscriptions," Unpublished report, BLM Files.

[19]Marie E. P. Konig, Am Anfang Der Kultur: Die Zeichensprache des des fruhen Menschen (Berlin: Gebr. Mann Verlag), p. 73.

[20]Salvatore Trento, The Search for Lost America (Chicago: Contemporary Books, Inc., 1978). See Trento for more information on the problem.

[21]Donal Buchanan, "Proposed Decipherment of Four Inscriptions from Oklahoma," Unpublished report, BLM Files.

[22]Gloria Farley, "The Bache Gravestone," ESOP, Bol 5. no. 109.

[23]Fell, America B.C., p. 160.

[24]Gloria Farley, "The Willard Stone," ESOP, Vol. 5, no. 101.

[25]Eugene H. Diesing and Frank Magre, "Petroglyphs and Pictographs in Missouri," The Missouri Archaeologist, 8, no. 1, 1942, pp, 9-18.

[26]William G. Buckles,"An Analysis of Primitive Rock Art at Medicine Creek Cave, Wyoming," (unpublished M.S. thesis, University of Colorado, 1964), p. 43.

[27]Ibid., pp. 10-14.

[28]Theodore Hayes Lewis, "Stone Monuments in Southern Dakota," American Anthropologist, 2, 1889, pp. 161-162.

[29]For additional information see Trento, Search for Lost America.

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[31]Ibid.

[32]Polly Schaafsma, "The Rock Art of Utah," Papers of the Peabody Museum of Archaeology and Ethnology, Vol. 65 (Cambridge, Mass: Harvard University Press, 1971), p. 146.

[33]Buckles, "Rock Art at Medicine Creek Cave," p. 143.

[34]David S. Gebhard, "The shield Motif in Plains Rock Art," American Antiquity, Vol. 21, no. 5, pt. 1, 1966, p. 730.

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[38]J. Walker Davenport and Carl Chelf, Painted Pebbles from the Lower Pecos and Big Bend Regions of Texas, Witte Memorial Museum Bulletin, 5, 1938, p. 6.

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[42]Donal Buchanan, "Report on Inscriptions from the Southwest," Unpublished report, BLM Files, pp. 2-4.

[43]Barry Fell report to Don Rickey, BLM Files,

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[52]LaVan Martineau, The Rocks Begin to Speak (Las Vegas: K.C. Publications, 1973), p. 148.

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[66] Henriette Mertz, Pale Ink, Published by author, Box 207, Old Post Office, Chicago, 60690, p. 17.

[67] Ibid., pp. 13-18.

[68] H. M. Wormington, Ancient Man in North America (Denver: The Denver Museum of Natural History, 1957), p. 267.

[69] Steward, "Petroglyphs of California and Adjoining States," p. 225.

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[74] Trento, Search for Lost America, p. 27-30.

[76]Herman, Peoples, Seas and Ships, p. 151.

[77]Mertz, Pale Ink, p. 167.

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[79]Covey, Calalus.

[80]Charles H. Hapgood, Maps of the Ancient Sea Kings: Evidence of Advanced Civilizations in the Ice Age (Philadelphia, Chilton Press, 1966), p. 9-11.

[81]The controversy over the motivations of Columbus is beyond the scope of this paper but the arguments can be found in the literature on Columbus.

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[84]Steward, Petroglyphs of California and Adjoining States," p. 225.

[85]Heizer and Baumhoff, Prehistoric Rock Art of Nevada and Eastern California, pp. 6-8.

[86]Heizer and Hester, "Two Petroglyph Sites," p. 21.

[87]Steward,"Petroglyphs of California and Adjoining States," p. 225.

[88]Albert B. Elasser and Eduardo Contreras, "Modern Petrography in Central California and Western Nevada," University of California Archaeological Survey Report, No. 41, Paper N., 65, pp. 12-18.

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This report was completed by a WICHE intern. This intern's project was part of the Resources Development Internship Program administered by the Western Interstate Commission for Higher Education (WICHE).

The purpose of the internship program is to bring organizations involved in community and economic development, environmental problems and their students in the West for the benefit of all.

For these organizations, the intern program provides the problem-solving talents of student manpower while making the resources of universities and colleges more available. For institutions of higher education, the program provides relevant field education for their students while building their capacity for problem-solving.

WICHE is an organization in the West uniquely suited for sponsoring such a program. It is an interstate agency formed by the thirteen western states for the specific purpose of relating the resources of higher education to the needs of western citizens. WICHE has been concerned with a broad range of community needs in the West for some time, insofar as they bear directly on the well-being of western peoples and the future of higher education in the West. WICHE feels that the internship program is one method for meeting its obligations within the thirteen western states. In its efforts to achieve these objectives, WICHE appreciates having received the generous support and assistance of the National Endowment for the Humanities, the Economic Development Administration and by more than one hundred and fifty community agencies throughout the West.

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21 U.S. 543 (____)
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JOHNSON and GRAHAM'S Lessee
v.
WILLIAM M`INTOSH.

Supreme Court of United States.

*562 The cause was argued by Mr. Harper and Mr. Webster for the plaintiffs, and by Mr. Winder and Mr. Murray for the defendants.

*571 Mr. Chief Justice MARSHALL delivered the opinion of the Court.

The plaintiffs in this cause claim the land, in their declaration mentioned, under two grants, purporting to be made, the first in 1773, and the last in 1775, by the chiefs of certain *572 Indian tribes, constituting the Illinois and the Piankeshaw nations; and the question is, whether this title can be recognised in the Courts of the United States?

The facts, as stated in the case agreed, show the authority of the chiefs who executed this conveyance, so far as it could be given by their own people; and likewise show, that the particular tribes for whom these chiefs acted were in rightful possession of the land they sold. The inquiry, therefore, is, in a great measure, confined to the power of Indians to give, and of private individuals to receive, a title which can be sustained in the Courts of this country.

As the right of society, to prescribe those rules by which property may be acquired and preserved is not, and cannot be drawn into question; as the title to lands, especially, is and must be admitted to depend entirely on the law of the nation in which they lie; it will be necessary, in pursuing this inquiry, to examine, not singly those principles of abstract justice, which the Creator of all things has impressed on the mind of his creature man, and which are admitted to regulate, in a great degree, the rights of civilized nations, whose perfect independence is acknowledged; but those principles also which our own government has adopted in the particular case, and given us as the rule for our decision.

On the discovery of this immense continent, the great nations of Europe were eager to appropriate to themselves so much of it as they could respectively acquire. Its vast extent offered an *573 ample field to the ambition and enterprise of all; and the character and religion of its inhabitants afforded an apology for considering them as a people over whom the superior genius of Europe might claim an ascendency. The potentates of the old world found no difficulty in convincing themselves that they made ample compensation to the inhabitants of the new, by bestowing on them civilization and Christianity, in exchange for unlimited independence. But, as they were all in pursuit of nearly the same object, it was necessary, in order to avoid conflicting settlements, and consequent war with each other, to establish a principle, which all should acknowledge as the law by which the right of acquisition, which they all asserted, should be regulated as between themselves. This principle was, that discovery gave title to the government by whose subjects, or by whose authority, it was made, against all other European governments, which title might be consummated by possession.

The exclusion of all other Europeans, necessarily gave to the nation making the discovery the sole right of acquiring the soil from the natives, and establishing settlements upon it. It was a right with which no Europeans could interfere. It was a right which all asserted for themselves, and to the assertion of which, by others, all assented.

Those relations which were to exist between the discoverer and the natives, were to be regulated by themselves. The rights thus acquired being exclusive, no other power could interpose between them.

*574 In the establishment of these relations, the rights of the original inhabitants were, in no instance, entirely disregarded; but were necessarily, to a considerable extent, impaired. They were admitted to be the rightful occupants of the soil, with a legal as well as just claim to retain possession of it, and to use it according to their own discretion; but their rights to complete sovereignty, as independent nations, were necessarily diminished, and their power to dispose of the soil at their own will, to whomsoever they pleased, was denied by the original fundamental principle, that discovery gave exclusive title to those who made it.

While the different nations of Europe respected the right of the natives, as occupants, they asserted the ultimate dominion to be in themselves; and claimed and exercised, as a consequence of this ultimate dominion, a power to grant the soil, while yet in possession of the natives. These grants have been understood by all, to convey a title to the grantees, subject only to the Indian right of occupancy.

The history of America, from its discovery to the present day, proves, we think, the universal recognition of these principles.

Spain did not rest her title solely on the grant of the Pope. Her discussions respecting boundary, with France, with Great Britain, and with the United States, all show that she placed it on the rights given by discovery. Portugal sustained her claim to the Brazils by the same title.

France, also, founded her title to the vast territories she claimed in America on discovery. However *575 conciliatory her conduct to the natives may have been, she still asserted her right of dominion over a great extent of country not actually settled by Frenchmen, and her exclusive right to acquire and dispose of the soil which remained in the occupation of Indians. Her monarch claimed all Canada and Acadie, as colonies of France, at a time when the French population was very inconsiderable, and the Indians occupied almost the whole country. He also claimed Louisiana, comprehending the immense territories watered by the Mississippi, and the rivers which empty into it, by the title of discovery. The letters patent granted to the Sieur Demonts, in 1603, constitute him Lieutenant General, and the representative of the King in Acadie, which is described as stretching from the 40th to the 46th degree of north latitude; with authority to extend the power of the French over that country, and its inhabitants, to give laws to the people, to treat with the natives, and enforce the observance of treaties, and to parcel out, and give title to lands, according to his own judgment.

The States of Holland also made acquisitions in America, and sustained their right on the common principle adopted by all Europe. They allege, as we are told by Smith, in his History of New-York, that Henry Hudson, who sailed, as they say, under the orders of their East India Company, discovered the country from the Delaware to the Hudson, up which he sailed to the 43d degree of north latitude; and this country they claimed under the title acquired by this voyage. *576 Their first object was commercial, as appears by a grant made to a company of merchants in 1614; but in 1621, the States General made, as we are told by Mr. Smith, a grant of the country to the West India Company, by the name of New Netherlands.

The claim of the Dutch was always contested by the English; not because they questioned the title given by discovery, but because they insisted on being themselves the rightful claimants under that title. Their pretensions were finally decided by the sword.

No one of the powers of Europe gave its full assent to this principle, more unequivocally than England. The documents upon this subject are ample and complete. So early as the year 1496, her monarch granted a commission to the Cabots, to discover countries then unknown to Christian people, and to take possession of

them in the name of the king of England. Two years afterwards, Cabot proceeded on this voyage, and discovered the continent of North America, along which he sailed as far south as Virginia. To this discovery the English trace their title.

In this first effort made by the English government to acquire territory on this continent, we perceive a complete recognition of the principle which has been mentioned. The right of discovery given by this commission, is confined to countries "then unknown to all Christian people;" and of these countries Cabot was empowered to take possession in the name of the king of England. Thus asserting a right to take possession, *577 notwithstanding the occupancy of the natives, who were heathens, and, at the same time, admitting the prior title of any Christian people who may have made a previous discovery.

The same principle continued to be recognised. The charter granted to Sir Humphrey Gilbert, in 1578, authorizes him to discover and take possession of such remote, heathen, and barbarous lands, as were not actually possessed by any Christian prince or people. This charter was afterwards renewed to Sir Walter Raleigh, in nearly the same terms.

By the charter of 1606, under which the first permanent English settlement on this continent was made, James I. granted to Sir Thomas Gates and others, those territories in America lying on the seacoast, between the 34th and 45th degrees of north latitude, and which either belonged to that monarch, or were not then possessed by any other Christian prince or people. The grantees were divided into two companies at their own request. The first, or southern colony, was directed to settle between the 34th and 41st degrees of north latitude; and the second, or northern colony, between the 38th and 45th degrees.

In 1609, after some expensive and not very successful attempts at settlement had been made, a new and more enlarged charter was given by the crown to the first colony, in which the king granted to the "Treasurer and Company of Adventurers of the city of London for the first colony in Virginia," in absolute property, the lands extending along the seacoast four hundred miles, and *578 into the land throughout from sea to sea. This charter, which is a part of the special verdict in this cause, was annulled, so far as respected the rights of the company, by the judgment of the Court of King's Bench on a writ of quo warranto; but the whole effect allowed to this judgment was, to revest in the crown the powers of government, and the title to the lands within its limits.

At the solicitation of those who held under the grant to the second or northern colony, a new and more enlarged charter was granted to the Duke of Lenox and others, in 1620, who were denominated the Plymouth Company, conveying to them in absolute property all the lands between the 40th and 48th degrees of north latitude.

Under this patent, New-England has been in a great measure settled. The company conveyed to Henry Rosewell and others, in 1627, that territory which is now Massachusetts; and in 1628, a charter of incorporation, comprehending the powers of government, was granted to the purchasers.

Great part of New-England was granted by this company, which, at length, divided their remaining lands among themselves; and, in 1635, surrendered their charter to the crown. A patent was granted to Gorges for Maine, which was allotted to him in the division of property.

All the grants made by the Plymouth Company, so far as we can learn, have been respected. In pursuance of the same principle, the king, in 1664, granted to the Duke of York the country of New-England as far south as the Delaware *579 bay. His royal highness transferred New-Jersey to Lord Berkeley and Sir George Carteret.

In 1663, the crown granted to Lord Clarendon and others, the country lying between the 36th degree of north latitude and the river St. Mathes; and, in 1666, the proprietors obtained from the crown a new charter, granting to

them that province in the king's dominions in North America which lies from 36 degrees 30 minutes north latitude to the 29th degree, and from the Atlantic ocean to the South sea.

Thus has our whole country been granted by the crown while in the occupation of the Indians. These grants purport to convey the soil as well as the right of dominion to the grantees. In those governments which were denominated royal, where the right to the soil was not vested in individuals, but remained in the crown, or was vested in the colonial government, the king claimed and exercised the right of granting lands, and of dismembering the government at his will. The grants made out of the two original colonies, after the resumption of their charters by the crown, are examples of this. The governments of New-England, New-York, New-Jersey, Pennsylvania, Maryland, and a part of Carolina, were thus created. In all of them, the soil, at the time the grants were made, was occupied by the Indians. Yet almost every title within those governments is dependent on these grants. In some instances, the soil was conveyed by the crown unaccompanied by the powers of government, as in the case of the northern neck of Virginia. It has never *580 been objected to this, or to any other similar grant, that the title as well as possession was in the Indians when it was made, and that it passed nothing on that account.

These various patents cannot be considered as nullities; nor can they be limited to a mere grant of the powers of government. A charter intended to convey political power only, would never contain words expressly granting the land, the soil, and the waters. Some of them purport to convey the soil alone; and in those cases in which the powers of government, as well as the soil, are conveyed to individuals, the crown has always acknowledged itself to be bound by the grant. Though the power to dismember regal governments was asserted and exercised, the power to dismember proprietary governments was not claimed; and, in some instances, even after the powers of government were revested in the crown, the title of the proprietors to the soil was respected.

Charles II. was extremely anxious to acquire the property of Maine, but the grantees sold it to Massachusetts, and he did not venture to contest the right of that colony to the soil. The Carolinas were originally proprietary governments. In 1721 a revolution was effected by the people, who shook off their obedience to the proprietors, and declared their dependence immediately on the crown. The king, however, purchased the title of those who were disposed to sell. One of them, Lord Carteret, surrendered his interest in the government, but retained his title to the soil. That *581 title was respected till the revolution, when it was forfeited by the laws of war.

Further proofs of the extent to which this principle has been recognised, will be found in the history of the wars, negotiations, and treaties, which the different nations, claiming territory in America, have carried on, and held with each other.

The contests between the cabinets of Versailles and Madrid, respecting the territory on the northern coast of the gulf of Mexico, were fierce and bloody; and continued, until the establishment of a Bourbon on the throne of Spain, produced such amicable dispositions in the two crowns, as to suspend or terminate them.

Between France and Great Britain, whose discoveries as well as settlements were nearly contemporaneous, contests for the country, actually covered by the Indians, began as soon as their settlements approached each other, and were continued until finally settled in the year 1763, by the treaty of Paris.

Each nation had granted and partially settled the country, denominated by the French, Acadie, and by the English, Nova Scotia. By the 12th article of the treaty of Utrecht, made in 1703, his most Christian Majesty ceded to the Queen of Great Britain, "all Nova Scotia or Acadie, with its ancient boundaries." A great part of the ceded territory was in the possession of the Indians, and the extent of the cession could not be adjusted by the commissioners to whom it was to be referred.

The treaty of Aix la Chapelle, which was made *582 on the principle of the status ante bellum, did not remove this subject of controversy. Commissioners for its adjustment were appointed, whose very able and elaborate, though unsuccessful arguments, in favour of the title of their respective sovereigns, show how entirely each relied on the title given by discovery to lands remaining in the possession of Indians.

After the termination of this fruitless discussion, the subject was transferred to Europe, and taken up by the cabinets of Versailles and London. This controversy embraced not only the boundaries of New-England, Nova Scotia, and that part of Canada which adjoined those colonies, but embraced our whole western country also. France contended not only that the St. Lawrence was to be considered as the centre of Canada, but that the Ohio was within that colony. She founded this claim on discovery, and on having used that river for the transportation of troops, in a war with some southern Indians.

This river was comprehended in the chartered limits of Virginia; but, though the right of England to a reasonable extent of country, in virtue of her discovery of the seacoast, and of the settlements she made on it, was not to be questioned; her claim of all the lands to the Pacific ocean, because she had discovered the country washed by the Atlantic, might, without derogating from the principle recognised by all, be deemed extravagant. It interfered, too, with the claims of France, founded on the same principle. She therefore sought to strengthen her original title to *583 the lands in controversy, by insisting that it had been acknowledged by France in the 15th article of the treaty of Utrecht. The dispute respecting the construction of that article, has no tendency to impair the principle, that discovery gave a title to lands still remaining in the possession of the Indians. Whichever title prevailed, it was still a title to lands occupied by the Indians, whose right of occupancy neither controverted, and neither had then extinguished.

These conflicting claims produced a long and bloody war, which was terminated by the conquest of the whole country east of the Mississippi. In the treaty of 1763, France ceded and guarantied to Great Britain, all Nova Scotia, or Acadie, and Canada, with their dependencies; and it was agreed, that the boundaries between the territories of the two nations, in America, should be irrevocably fixed by a line drawn from the source of the Mississippi, through the middle of that river and the lakes Maurepas and Ponchartrain, to the sea. This treaty expressly cedes, and has always been understood to cede, the whole country, on the English side of the dividing line, between the two nations, although a great and valuable part of it was occupied by the Indians. Great Britain, on her part, surrendered to France all her pretensions to the country west of the Mississippi. It has never been supposed that she surrendered nothing, although she was not in actual possession of a foot of land. She surrendered all right to acquire the country; and any after attempt to purchase it from the Indians, would have been considered *584 and treated as an invasion of the territories of France.

By the 20th article of the same treaty, Spain ceded Florida, with its dependencies, and all the country she claimed east or southeast of the Mississippi, to Great Britain. Great part of this territory also was in possession of the Indians.

By a secret treaty, which was executed about the same time, France ceded Louisiana to Spain; and Spain has since retroceded the same country to France. At the time both of its cession and retrocession, it was occupied, chiefly, by the Indians.

Thus, all the nations of Europe, who have acquired territory on this continent, have asserted in themselves, and have recognised in others, the exclusive right of the discoverer to appropriate the lands occupied by the Indians. Have the American States rejected or adopted this principle?

By the treaty which concluded the war of our revolution, Great Britain relinquished all claim, not only to the government, but to the "propriety and territorial rights of the United States," whose boundaries were fixed in the

second article. By this treaty, the powers of government, and the right to soil, which had previously been in Great Britain, passed definitively to these States. We had before taken possession of them, by declaring independence; but neither the declaration of independence, nor the treaty confirming it, could give us more than that which we before possessed, or to which Great Britain was before entitled. It *585 has never been doubted, that either the United States, or the several States, had a clear title to all the lands within the boundary lines described in the treaty, subject only to the Indian right of occupancy, and that the exclusive power to extinguish that right, was vested in that government which might constitutionally exercise it.

Virginia, particularly, within whose chartered limits the land in controversy lay, passed an act, in the year 1779, declaring her "exclusive right of pre-emption from the Indians, of all the lands within the limits of her own chartered territory, and that no person or persons whatsoever, have, or ever had, a right to purchase any lands within the same, from any Indian nation, except only persons duly authorized to make such purchase; formerly for the use and benefit of the colony, and lately for the Commonwealth." The act then proceeds to annul all deeds made by Indians to individuals, for the private use of the purchasers.

Without ascribing to this act the power of annulling vested rights, or admitting it to countervail the testimony furnished by the marginal note opposite to the title of the law, forbidding purchases from the Indians, in the revisals of the Virginia statutes, stating that law to be repealed, it may safely be considered as an unequivocal affirmance, on the part of Virginia, of the broad principle which had always been maintained, that the exclusive right to purchase from the Indians resided in the government.

In pursuance of the same idea, Virginia proceeded, at the same session, to open her land *586 office, for the sale of that country which now constitutes Kentucky, a country, every acre of which was then claimed and possessed by Indians, who maintained their title with as much persevering courage as was ever manifested by any people.

The States, having within their chartered limits different portions of territory covered by Indians, ceded that territory, generally, to the United States, on conditions expressed in their deeds of cession, which demonstrate the opinion, that they ceded the soil as well as jurisdiction, and that in doing so, they granted a productive fund to the government of the Union. The lands in controversy lay within the chartered limits of Virginia, and were ceded with the whole country northwest of the river Ohio. This grant contained reservations and stipulations, which could only be made by the owners of the soil; and concluded with a stipulation, that "all the lands in the ceded territory, not reserved, should be considered as a common fund, for the use and benefit of such of the United States as have become, or shall become, members of the confederation," &c. "according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever."

The ceded territory was occupied by numerous and warlike tribes of Indians; but the exclusive right of the United States to extinguish their title, and to grant the soil, has never, we believe, been doubted.

*587 After these States became independent, a controversy subsisted between them and Spain respecting boundary. By the treaty of 1795, this controversy was adjusted, and Spain ceded to the United States the territory in question. This territory, though claimed by both nations, was chiefly in the actual occupation of Indians.

The magnificent purchase of Louisiana, was the purchase from France of a country almost entirely occupied by numerous tribes of Indians, who are in fact independent. Yet, any attempt of others to intrude into that country, would be considered as an aggression which would justify war.

Our late acquisitions from Spain are of the same character; and the negotiations which preceded those acquisitions, recognise and elucidate the principle which has been received as the foundation of all European title

in America.

The United States, then, have unequivocally acceded to that great and broad rule by which its civilized inhabitants now hold this country. They hold, and assert in themselves, the title by which it was acquired. They maintain, as all others have maintained, that discovery gave an exclusive right to extinguish the Indian title of occupancy, either by purchase or by conquest; and gave also a right to such a degree of sovereignty, as the circumstances of the people would allow them to exercise.

The power now possessed by the government of the United States to grant lands, resided, while we were colonies, in the crown, or its grantees. The validity of the titles given by either has never *588 been questioned in our Courts. It has been exercised uniformly over territory in possession of the Indians. The existence of this power must negative the existence of any right which may conflict with, and control it. An absolute title to lands cannot exist, at the same time, in different persons, or in different governments. An absolute, must be an exclusive title, or at least a title which excludes all others not compatible with it. All our institutions recognise the absolute title of the crown, subject only to the Indian right of occupancy, and recognise the absolute title of the crown to extinguish that right. This is incompatible with an absolute and complete title in the Indians.

We will not enter into the controversy, whether agriculturists, merchants, and manufacturers, have a right, on abstract principles, to expel hunters from the territory they possess, or to contract their limits. Conquest gives a title which the Courts of the conqueror cannot deny, whatever the private and speculative opinions of individuals may be, respecting the original justice of the claim which has been successfully asserted. The British government, which was then our government, and whose rights have passed to the United States, asserted a title to all the lands occupied by Indians, within the chartered limits of the British colonies. It asserted also a limited sovereignty over them, and the exclusive right of extinguishing the title which occupancy gave to them. These claims have been maintained and established as far west as the river Mississippi, by the sword. The title *589 to a vast portion of the lands we now hold, originates in them. It is not for the Courts of this country to question the validity of this title, or to sustain one which is incompatible with it.

Although we do not mean to engage in the defence of those principles which Europeans have applied to Indian title, they may, we think, find some excuse, if not justification, in the character and habits of the people whose rights have been wrested from them.

The title by conquest is acquired and maintained by force. The conqueror prescribes its limits. Humanity, however, acting on public opinion, has established, as a general rule, that the conquered shall not be wantonly oppressed, and that their condition shall remain as eligible as is compatible with the objects of the conquest. Most usually, they are incorporated with the victorious nation, and become subjects or citizens of the government with which they are connected. The new and old members of the society mingle with each other; the distinction between them is gradually lost, and they make one people. Where this incorporation is practicable, humanity demands, and a wise policy requires, that the rights of the conquered to property should remain unimpaired; that the new subjects should be governed as equitably as the old, and that confidence in their security should gradually banish the painful sense of being separated from their ancient connexions, and united by force to strangers.

When the conquest is complete, and the conquered inhabitants can be blended with the conquerors, *590 or safely governed as a distinct people, public opinion, which not even the conqueror can disregard, imposes these restraints upon him; and he cannot neglect them without injury to his fame, and hazard to his power.

But the tribes of Indians inhabiting this country were fierce savages, whose occupation was war, and whose subsistence was drawn chiefly from the forest. To leave them in possession of their country, was to leave the

country a wilderness; to govern them as a distinct people, was impossible, because they were as brave and as high spirited as they were fierce, and were ready to repel by arms every attempt on their independence.

What was the inevitable consequence of this state of things? The Europeans were under the necessity either of abandoning the country, and relinquishing their pompous claims to it, or of enforcing those claims by the sword, and by the adoption of principles adapted to the condition of a people with whom it was impossible to mix, and who could not be governed as a distinct society, or of remaining in their neighbourhood, and exposing themselves and their families to the perpetual hazard of being massacred.

Frequent and bloody wars, in which the whites were not always the aggressors, unavoidably ensued. European policy, numbers, and skill, prevailed. As the white population advanced, that of the Indians necessarily receded. The country in the immediate neighbourhood of agriculturists became unfit for them. The game fled *591 into thicker and more unbroken forests, and the Indians followed. The soil, to which the crown originally claimed title, being no longer occupied by its ancient inhabitants, was parcelled out according to the will of the sovereign power, and taken possession of by persons who claimed immediately from the crown, or mediately, through its grantees or deputies.

That law which regulates, and ought to regulate in general, the relations between the conqueror and conquered, was incapable of application to a people under such circumstances. The resort to some new and different rule, better adapted to the actual state of things, was unavoidable. Every rule which can be suggested will be found to be attended with great difficulty.

However extravagant the pretension of converting the discovery of an inhabited country into conquest may appear; if the principle has been asserted in the first instance, and afterwards sustained; if a country has been acquired and held under it; if the property of the great mass of the community originates in it, it becomes the law of the land, and cannot be questioned. So, too, with respect to the concomitant principle, that the Indian inhabitants are to be considered merely as occupants, to be protected, indeed, while in peace, in the possession of their lands, but to be deemed incapable of transferring the absolute title to others. However this restriction may be opposed to natural right, and to the usages of civilized nations, yet, if it be indispensable to that system under which the country has been settled, and be *592 adapted to the actual condition of the two people, it may, perhaps, be supported by reason, and certainly cannot be rejected by Courts of justice.

This question is not entirely new in this Court. The case of Fletcher v. Peck, grew out of a sale made by the State of Georgia of a large tract of country within the limits of that State, the grant of which was afterwards resumed. The action was brought by a sub-purchaser, on the contract of sale, and one of the covenants in the deed was, that the State of Georgia was, at the time of sale, seised in fee of the premises. The real question presented by the issue was, whether the seisin in fee was in the State of Georgia, or in the United States. After stating, that this controversy between the several States and the United States, had been compromised, the Court thought it necessary to notice the Indian title, which, although entitled to the respect of all Courts until it should be legitimately extinguished, was declared not to be such as to be absolutely repugnant to a seisin in fee on the part of the State.

This opinion conforms precisely to the principle which has been supposed to be recognized by all European governments, from the first settlement of America. The absolute ultimate title has been considered as acquired by discovery, subject only to the Indian title of occupancy, which title the discoverers possessed the exclusive right of acquiring. Such a right is no more incompatible with a seisin in fee, than a lease for years, and might as effectually bar an ejectment.

Another view has been taken of this question, *593 which deserves to be considered. The title of the crown, whatever it might be, could be acquired only by a conveyance from the crown. If an individual might extinguish the Indian title for his own benefit, or, in other words, might purchase it, still he could acquire only that title. Admitting their power to change their laws or usages, so far as to allow an individual to separate a portion of their lands from the common stock, and hold it in severalty, still it is a party of their territory, and is held under them, by a title dependent on their laws. The grant derives its efficacy from their will; and, if they choose to resume it, and make a different disposition of the land, the Courts of the United States cannot interpose for the protection of the title. The person who purchases lands from the Indians, within their territory, incorporates himself with them, so far as respects the property purchased; holds their title under their protection, and subject to their laws. If they annul the grant, we know of no tribunal which can revise and set aside the proceeding. We know of no principle which can distinguish this case from a grant made to a native Indian, authorizing him to hold a particular tract of land in severalty.

As such a grant could not separate the Indian from his nation, nor give a title which our Courts could distinguish from the title of his tribe, as it might still be conquered from, or ceded by his tribe, we can perceive no legal principle which will authorize a Court to say, that different consequences are attached to this purchase, because it was made by a stranger. By the treaties concluded *594 between the United States and the Indian nations, whose title the plaintiffs claim, the country comprehending the lands in controversy has been ceded to the United States, without any reservation of their title. These nations had been at war with the United States, and had an unquestionable right to annul any grant they had made to American citizens. Their cession of the country, without a reservation of this land, affords a fair presumption, that they considered it as of no validity. They ceded to the United States this very property, after having used it in common with other lands, as their own, from the date of their deeds to the time of cession; and the attempt now made, is to set up their title against that of the United States.

The proclamation issued by the King of Great Britain, in 1763, has been considered, and, we think, with reason, as constituting an additional objection to the title of the plaintiffs.

By that proclamation, the crown reserved under its own dominion and protection, for the use of the Indians, "all the land and territories lying to the westward of the sources of the rivers which fall into the sea from the west and northwest," and strictly forbade all British subjects from making any purchases or settlements whatever, or taking possession of the reserved lands.

It has been contended, that, in this proclamation, the king transcended his constitutional powers; and the case of Campbell v. Hall, (reported by Cowper,) is relied on to support this position.

*595 It is supposed to be a principle of universal law, that, if an uninhabited country be discovered by a number of individuals, who acknowledge no connexion with, and owe no allegiance to, any government whatever, the country becomes the property of the discoverers, so far at least as they can use it. They acquire a title in common. The title of the whole land is in the whole society. It is to be divided and parcelled out according to the will of the society, expressed by the whole body, or by that organ which is authorized by the whole to express it.

If the discovery be made, and possession of the country be taken, under the authority of an existing government, which is acknowledged by the emigrants, it is supposed to be equally well settled, that the discovery is made for the whole nation, that the country becomes a part of the nation, and that the vacant soil is to be disposed of by that organ of the government which has the constitutional power to dispose of the national domains, by that organ in which all vacant territory is vested by law.

According to the theory of the British constitution, all vacant lands are vested in the crown, as representing the nation; and the exclusive power to grant them is admitted to reside in the crown, as a branch of the royal prerogative. It has been already shown, that this principle was as fully recognised in America as in the island of Great Britain. All the lands we hold were originally granted by the crown; and the establishment of a regal government has never been considered as *596 impairing its right to grant lands within the chartered limits of such colony. In addition to the proof of this principle, furnished by the immense grants, already mentioned, of lands lying within the chartered limits of Virginia, the continuing right of the crown to grant lands lying within that colony was always admitted. A title might be obtained, either by making an entry with the surveyor of a county, in pursuance of law, or by an order of the governor in council, who was the deputy of the king, or by an immediate grant from the crown. In Virginia, therefore, as well as elsewhere in the British dominions, the complete title of the crown to vacant lands was acknowledged.

So far as respected the authority of the crown, no distinction was taken between vacant lands and lands occupied by the Indians. The title, subject only to the right of occupancy by the Indians, was admitted to be in the king, as was his right to grant that title. The lands, then, to which this proclamation referred, were lands which the king had a right to grant, or to reserve for the Indians.

According to the theory of the British constitution, the royal prerogative is very extensive, so far as respects the political relations between Great Britain and foreign nations. The peculiar situation of the Indians, necessarily considered, in some respects, as a dependent, and in some respects as a distinct people, occupying a country claimed by Great Britain, and yet too powerful and brave not to be dreaded as formidable enemies, required, that means should be adopted for *597 the preservation of peace; and that their friendship should be secured by quieting their alarms for their property. This was to be effected by restraining the encroachments of the whites; and the power to do this was never, we believe, denied by the colonies to the crown.

In the case of Campbell against Hall, that part of the proclamation was determined to be illegal, which imposed a tax on a conquered province, after a government had been bestowed upon it. The correctness of this decision cannot be questioned, but its application to the case at bar cannot be admitted. Since the expulsion of the Stuart family, the power of imposing taxes, by proclamation, has never been claimed as a branch of regal prerogative; but the powers of granting, or refusing to grant, vacant lands, and of restraining encroachments on the Indians, have always been asserted and admitted.

The authority of this proclamation, so far as it respected this continent, has never been denied, and the titles it gave to lands have always been sustained in our Courts.

In the argument of this cause, the counsel for the plaintiffs have relied very much on the opinions expressed by men holding offices of trust, and on various proceedings in America, to sustain titles to land derived from the Indians.

The collection of claims to lands lying in the western country, made in the 1st volume of the Laws of the United States, has been referred to; but we find nothing in that collection to support the argument. Most of the titles were derived *598 from persons professing to act under the authority of the government existing at the time; and the two grants under which the plaintiffs claim, are supposed, by the person under whose inspection the collection was made, to be void, because forbidden by the royal proclamation of 1763. It is not unworthy of remark, that the usual mode adopted by the Indians for granting lands to individuals, has been to reserve them in a treaty, or to grant them under the sanction of the commissioners with whom the treaty was negotiated. The practice, in such case, to grant to the crown, for the use of the individual, is some evidence of a general understanding, that the validity even of such a grant depended on its receiving the royal sanction.

The controversy between the colony of Connecticut and the Mohegan Indians, depended on the nature and extent of a grant made by those Indians to the colony; on the nature and extent of the reservations made by the Indians, in their several deeds and treaties, which were alleged to be recognised by the legitimate authority; and on the violation by the colony of rights thus reserved and secured. We do not perceive, in that case, any assertion of the principle, that individuals might obtain a complete and valid title from the Indians.

It has been stated, that in the memorial transmitted from the Cabinet of London to that of Versailles, during the controversy between the two nations, respecting boundary, which took place in 1755, the Indian right to the soil is recognised. *599 But this recognition was made with reference to their character as Indians, and for the purpose of showing that they were fixed to a particular territory. It was made for the purpose of sustaining the claim of his Britannic majesty to dominion over them.

The opinion of the Attorney and Solicitor General, Pratt and Yorke, have been adduced to prove, that, in the opinion of those great law officers, the Indian grant could convey a title to the soil without a patent emanating from the crown. The opinion of those persons would certainly be of great authority on such a question, and we were not a little surprised, when it was read, at the doctrine it seemed to advance. An opinion so contrary to the whole practice of the crown, and to the uniform opinions given on all other occasions by its great law officers, ought to be very explicit, and accompanied by the circumstances under which it was given, and to which it was applied, before we can be assured that it is properly understood. In a pamphlet, written for the purpose of asserting the Indian title, styled "Plain Facts," the same opinion is quoted, and is said to relate to purchases made in the East Indies. It is, of course, entirely inapplicable to purchases made in America. Chalmers, in whose collection this opinion is found, does not say to whom it applies; but there is reason to believe, that the author of Plain Facts is, in this respect, correct. The opinion commences thus: "In respect to such places as have been, or shall be acquired, by treaty or grant, from any of the Indian princes or governments, *600 your majesty's letters patent are not necessary." The words "princes or governments," are usually applied to the East Indians, but not to those of North America. We speak of their sachems, their warriors, their chiefmen, their nations or tribes, not of their "princes or governments." The question on which the opinion was given, too, and to which it relates, was, whether the king's subjects carry with them the common law wherever they may form settlements. The opinion is given with a view to this point, and its object must be kept in mind while construing its expressions.

Much reliance is also placed on the fact, that many tracts are now held in the United States under the Indian title, the validity of which is not questioned.

Before the importance attached to this fact is conceded, the circumstances under which such grants were obtained, and such titles are supported, ought to be considered. These lands lie chiefly in the eastern States. It is known that the Plymouth Company made many extensive grants, which, from their ignorance of the country, interfered with each other. It is also known that Mason, to whom New-Hampshire, and Gorges, to whom Maine was granted, found great difficulty in managing such unwieldy property. The country was settled by emigrants, some from Europe, but chiefly from Massachusetts, who took possession of lands they found unoccupied, and secured themselves in that possession by the best means in their power. The disturbances in *601 England, and the civil war and revolution which followed those disturbances, prevented any interference on the part of the mother country, and the proprietors were unable to maintain their title. In the mean time, Massachusetts claimed the country, and governed it. As her claim was adversary to that of the proprietors, she encouraged the settlement of persons made under her authority, and encouraged, likewise, their securing themselves in possession, by purchasing the acquiescence and forbearance of the Indians.

After the restoration of Charles II., Gorges and Mason, when they attempted to establish their title, found themselves opposed by men, who held under Massachusetts, and under the Indians. The title of the proprietors

was resisted; and though, in some cases, compromises were made and in some, the opinion of a Court was given ultimately in their favour, the juries found uniformly against them. They became wearied with the struggle, and sold their property. The titles held under the Indians, were sanctioned by length of possession; but there is no case, so far as we are informed, of a judicial decision in their favour.

Much reliance has also been placed on a recital contained in the charter of Rhode-Island, and on a letter addressed to the governors of the neighbouring colonies, by the king's command, in which some expressions are inserted, indicating the royal approbation of titles acquired from the Indians.

The charter to Rhode-Island recites, "that the said John Clark, and others, had transplanted *602 themselves into the midst of the Indian nations, and were seised and possessed, by purchase and consent of the said natives, to their full content, of such lands," &c. And the letter recites, that "Thomas Chifflinch, and others, having, in the right of Major Asperton, a just propriety in the Narraghanset country, in New-England, by grants from the native princes of that country, and being desirous to improve it into an English colony," &c. "are yet daily disturbed."

The impression this language might make, if viewed apart from the circumstances under which it was employed, will be effaced, when considered in connexion with those circumstances.

In the year 1635, the Plymouth Company surrendered their charter to the crown. About the same time, the religious dissentions of Massachusetts expelled from that colony several societies of individuals, one of which settled in Rhode-Island, on lands purchased from the Indians. They were not within the chartered limits of Massachusetts, and the English government was too much occupied at home to bestow its attention on this subject. There existed no authority to arrest their settlement of the country. If they obtained the Indian title, there were none to assert the title of the crown. Under these circumstances, the settlement became considerable. Individuals acquired separate property in lands which they cultivated and improved; a government was established among themselves; and no power existed in America which could rightfully interfere with it.

On the restoration of Charles II., this small society *603 hastened to acknowledge his authority, and to solicit his confirmation of their title to the soil, and to jurisdiction over the country. Their solicitations were successful, and a charter was granted to them, containing the recital which has been mentioned.

It is obvious, that this transaction can amount to no acknowledgment, that the Indian grant could convey a title paramount to that of the crown, or could, in itself, constitute a complete title. On the contrary, the charter of the crown was considered as indispensable to its completion.

It has never been contended, that the Indian title amounted to nothing. Their right of possession has never been questioned. The claim of government extends to the complete ultimate title, charged with this right of possession, and to the exclusive power of acquiring that right. The object of the crown was to settle the seacoast of America; and when a portion of it was settled, without violating the rights of others, by persons professing their loyalty, and soliciting the royal sanction of an act, the consequences of which were ascertained to be beneficial, it would have been as unwise as ungracious to expel them from their habitations, because they had obtained the Indian title otherwise than through the agency of government. The very grant of a charter is an assertion of the title of the crown, and its words convey the same idea. The country granted, is said to be "our island called Rhode-Island;" and the charter contains an actual grant of the soil, as well as of the powers of government.

*604 The letter was written a few months before the charter was issued, apparently at the request of the agents of the intended colony, for the sole purpose of preventing the trespasses of neighbours, who were disposed to claim some authority over them. The king, being willing himself to ratify and confirm their title, was, of course, inclined to quiet them in their possession.

This charter, and this letter, certainly sanction a previous unauthorized purchase from Indians, under the circumstances attending that particular purchase, but are far from supporting the general proposition, that a title acquired from the Indians would be valid against a title acquired from the crown, or without the confirmation of the crown.

The acts of the several colonial assemblies, prohibiting purchases from the Indians, have also been relied on, as proving, that, independent of such prohibitions, Indian deeds would be valid. But, we think this fact, at most, equivocal. While the existence of such purchases would justify their prohibition, even by colonies which considered Indian deeds as previously invalid, the fact that such acts have been generally passed, is strong evidence of the general opinion, that such purchases are opposed by the soundest principles of wisdom and national policy.

After bestowing on this subject a degree of attention which was more required by the magnitude of the interest in litigation, and the able and elaborate arguments of the bar, than by its intrinsic difficulty, the Court is decidedly of opinion, that the plaintiffs do not exhibit a title which can *605 be sustained in the Courts of the United States; and that there is no error in the judgment which was rendered against them in the District Court of Illinois.

Judgment affirmed, with costs.