

**Winter**  
**2005-2006**  
**EDITION**



**THE FEDERATION OF METAL DETECTOR & ARCHAEOLOGICAL CLUBS, INC.**

**Volume 21, Issue 1**

**Established 1984**

### **President's Message**

It seems that another year has passed and time keeps moving on. I was thinking that it only seemed like yesterday when I sat up all night watching the television as the year 2000 was approaching to see what if anything was going to happen and now 2006 is upon us. I look back over the past years and wonder what our hobby will be like ten years from now. Over the past years I've been watching clubs keep getting smaller and smaller and I have even seen a few clubs go by the wayside because the membership ranks have dwindled down. Many of the club meetings I've attended I noticed that 95% of the members attending were over the age of 65 the other 5% were my age and I'm 54 and there were no youth members. As time passes on these types of clubs cannot survive and before we know it they will be gone.

I attend many organized hunts and have watched many of the youths at some of these hunts grow up to become very involved in the hobby but the numbers have been limited. In today's day of computers, video games, DVD's, X-Box's and many of the other electronic toys it's hard to get the youth involved in the hobby but time has come where we must (get them involved) or our hobby will soon pass. The FMDAC offers FREE youth membership to help get them involved and I know many of the clubs have taken advantage of it, but many of our clubs have no youth memberships at all. I think that it's time for everyone to get involved and get our children, grandchildren and their friends interested in detecting. Let's get 2006 started off with a bang and get these kids involved. I know that everyone's time is valuable but if clubs would get involved with the scouts, 4-H, schools and other youth groups I think that we can start to attract them to detecting. Set up some programs this year and get the ball rolling.

In 2006 for the first time, the FMDAC will be doing some hunts in conjunction with the GPAA in Mesa, AZ and Dallas, Texas in early February and Wisconsin and Virginia in October. Mike Smith will be handling the Mesa hunt, for information he can be contacted at (866)983-7011 and Terry Smith will be in charge in Dallas and he can be contacted at (903) 734-7682. Both of these hunts are shaping up and we need your support to make them a success. Also in 2006 we will be having 2 conventions, one in Niagara Falls, New York in early May and then in Myrtle Beach, South Carolina in early November. More information will be sent as the events get closer. Both of these events seem to be coming together nicely and don't forget to get them on your calendar.

This past year we had elections for Chapter Presidents and all the same Presidents will continue in 2006. All need your help and support.

I like to thank all the members for a great 2005 and wish all of you and your families a very happy and prosperous New Year.

Duane Biller

National President



### Board of Directors Chapter Presidents

#### Mike Smith

1000 West apache Trail,#106  
Apache Junction, AZ, 85220  
Western Chapter: AZ-CA-CO-NV-WY  
Email: [promack@quik.com](mailto:promack@quik.com)  
Phone: 480-983-7011

#### Lyle Thomas

4308 Hayden Lane, Pasco, WA 99301  
Northwest Chapter: AK\_ID-MT-ND-OR-SD-WA  
Email: [treasjoe@aol.com](mailto:treasjoe@aol.com)  
Phone: 509-545-5144

#### Ron David

2211 West 9<sup>th</sup> St, Anderson, IN 46016  
Central Chapter: A-IL-IN-KY-MI-MN-OH-WI  
Email: [redlegron@aol.com](mailto:redlegron@aol.com)  
Phone 765-643-1121  
Fax: 765-643-1121

#### Tony D'Angelo

105 Queens Drive, Massapequa, N.Y. 11758  
Northeast Chapter: CT-MA-ME-NH-RI-VT-NY  
Email: [tdang9285@aol.com](mailto:tdang9285@aol.com)  
Phone: 516-799-9285

#### Harry Niemeyer

73 McGovern Blvd. Crescent, PA 15046  
Mid-Atlantic chapter: DR-MD-NC-NJ-PA-VA-WV  
Email: [Harryjn@comcast.net](mailto:Harryjn@comcast.net)  
Phone: 724-457-0720

#### Wallis Swartz

7791 55<sup>th</sup> Street N. Pinellas Park, Fla 33781  
Southeastern Chapter: AL- FL- GA- MS- SC- TN  
Email: [wdsthr@tampa.rr.com](mailto:wdsthr@tampa.rr.com)  
Phone; 727-647-2216

#### Terry Smith

P.O.Box 455,Judson, TX 75660  
South Central chapter: AR-KS-LA-MO-NE-NM-OK-TX  
Email: [termar@texramp.net](mailto:termar@texramp.net)  
Phone: 903-734-7682

### Board of Directors National Officers

#### Duane Biller

National President  
184 Grange Road  
McClellandtown, PA 15458  
Phone: 724-439-1380  
Fx: 724-439-2558  
[Snakemandb@earthlink.net](mailto:Snakemandb@earthlink.net)

#### Jim Beyers

National Vice President  
P.O. Box 6764  
Siloam Springs. AR 73761  
Phone: 479-549-4187  
[jbeyers@tcainternet.com](mailto:jbeyers@tcainternet.com)

#### Jill McFeeders

National Treasurer  
7025 Dover Zoar Road, N.E.  
Dover, Ohio 44622  
Phone: 330-364-1608  
[jcseeker@core.com](mailto:jcseeker@core.com)

#### Frank Colletti

National Secretary  
1439 Stephen Marc Lane  
East Meadow. NY 11554  
Phone: 516-481-9244  
Fx: 516-481-1845  
[treashunt@optonline.net](mailto:treashunt@optonline.net)

### Non-Board Positions

#### Bob Clark

Manufacturer Industry Representative  
102 Beechwood Drive  
Mechanicsburg PA 17055  
Phone: 717-766-3383  
Fx: 717-766-8970

#### Mike & Sue Race

Membership Secretary  
603 W. Main Street  
New Holland, PA 17557  
Phone: 717-355-0691  
Fx: 717-355-0691

#### Mark Schuessler

Alliance Liaison  
1464 Graff Road  
Attica, NY 14011  
Phone: 585-591-0010  
[Kesmas@localnet.com](mailto:Kesmas@localnet.com)

## FMDAC Spring 2006 Convention

The spring convention will be held in the world renowned Niagara Falls. Well, not actually "in" the falls, just near it! People travel from all over the world to visit this site, one of the 7 wonders of the world. Why not become one those people and join us on May 5, 6 & 7, 2006. The host hotel is the Days Inn in downtown Niagara Falls, NY. Just a few minutes walk from most of the attractions including, of course, the falls, which is best viewed from Goat Island to get the "full" effect.

The exhibit area, on the top floor of the hotel with a bird's eye view of the area, will be open on Friday evening and Saturday. Seminars will run on Saturday on a variety of topics. Soon, on the FMDAC website, we will outline the exhibits and seminars that we have lined up for you.

Saturday morning we will be up early to hit the beach at Beaver Island State Park for a "warm up" hunt. Considering the time of year and the location it could be aptly named. So come prepared. Hey! It's western New York.

After the exhibit area closes on Saturday we will have an open membership meeting. This will take place at around 4:15 give or take a bit. This meeting is for you, the members. This is your time to ask questions and make suggestions. All the officers will be present and they want to hear from you, good or bad. Saturday evening will feature our banquet with a cash bar, a buffet dinner and a guest speaker.

Sunday will find us back at Beaver Island State Park for our two big hunts. All silver coins will be buried along with prize tokens. Among those prize tokens will be the top two prizes of a chest of coins and cash worth \$1250, followed by one worth \$750. For every 50 hunters there will be 8 tokens worth a minimum of \$100 each.

In between the two hunts we will have a free kids hunt for children up to age 12.

(CONTINUED)

## Spring Convention

If you are planning on bringing children who will be in the hunt then please let us know. There is no actual sign up but it will help us in planning.

### **A note on the park:**

**Unless you have a permit NO HUNTING IS ALLOWED other than on the beach during the hunt.**

Any FMDAC club that would like to set up a table to promote your club and show off your finds, or any individuals who have displays or areas of interest and would like a table: please contact me.

Any business that would like a table should also contact me along with any business, club or individual that would like to advertise in the convention book or donate any prizes.

The host clubs, the Genesee Valley Treasure Seekers and the Niagara Frontier Relic Hunters are working hard to make this convention a memorable one. Flyers can be downloaded from the website at [FMDAC.org](http://FMDAC.org). Mark your calendars now and plan to join us in Niagara Falls.

Mark Schuessler  
[Kesmas@localnet.com](mailto:Kesmas@localnet.com)  
[585-591-0010](tel:585-591-0010)

## Index

Presidents Message	Page # 1
Officers & Board of Directors	Page # 2
Spring 2006 Convention News	Page # 3
Selma Trial results	Page # 4
Selma Trial results reply	Page # 5
Fall Convention winners	Page # 6
Lost & Returned	Page # 7
Spring Convention Note	Page # 8

## Selma Alabama Trial Results

Steve Phillips Trial Victory and Loss  
December 9, 2005

I want to try and explain what went on in Selma, Alabama this week. My trial was finally held and we received mixed results. First I want to thank all of the hundreds if not thousands of people throughout our country who have written, called, donated or otherwise supported me and the divers, collectors, historians and relic hunters of Alabama. When I have felt weak and tired of this fight to regain public access to our lands and waters the knowledge that all of you exist has made it possible for me to stay the course. We have been trying to solve some of the problems concerning the Alabama Underwater Cultural Resources Law since it was passed in 1999. I want to thank the Legislators and Governor Riley for doing as much as they have so far and ask them to continue to support the rights and freedoms of Alabama citizens. I am blessed with the best family in the world and my friends are in my mind the best and most supportive that anyone could hope for and far better than I deserve.

Now I want to talk about my trial. I asked for and received a jury trial. Judge Wiggins was assigned to my case this week and he was fair and nice. He appears to be a fine man and I like him. The jurors were good and paid attention to all of the witnesses and gave their honest and fair verdict in their opinion. I am very pleased with the jury and I value their willingness to perform their duties as jurors. I consider myself fortunate to live in a country where I can be tried by a jury of my peers. Win, lose or draw, I got a fair trial.

My lawyer is my friend and dive buddy, Erskine Mathis. He is one of the best defense trial lawyers in Alabama. He did a great job in Selma and totally destroyed the prosecution of me under the Alabama Cultural Resources\_Law. We won all aspects of the two charges against me under the law. I was found not guilty.

The Historical Commission had two semi-knowledgeable witnesses that said the relic weapon that I found was worth thousands of dollars when actually it was worth less than two hundred dollars. We had two of the most respected Civil War antique experts in the country who Erskine called to evaluate the relic. Jack Melton is a well known author of Civil War books and the top photographer for North South Traders Civil War magazine. John Sexton is the number one Civil War antique appraiser in the world. They both came to my trial at their own expense because of their interest in the public having access to our public lands and waters. They traveled hundreds of miles and I appreciate their support. There are too many people that I want to thank for their help but one stands out as solid as a rock. John Trott was at my trial each day and he has traveled with me to Montgomery many times over the last two years. John is not a historian or relic hunter but he is a good and faithful friend who wants the people of our state to be treated better than we are. The Historical Commission tried to show that the river at Selma was an archeological site that was covered by the AUCRA law. Erskine tried for days to get them to show any list anywhere that any sites are listed where we should not dive. They never produced any list. One archaeologist from Moundville said that he had a list but that commoners can't have access to the list because they may be looters. This list is only to be seen by other professional archaeologists. According to this man we can't see any list but we can be arrested if we go to any of his Super Secret Sites. This of course makes no sense except to these dysfunctional bureaucrats. The jury didn't buy any of the Historical Commissions malarkey. All aspects of the Historical Commission and the professional archaeologists were ruled against by the jury's verdict. The AHC lost.

So now let me explain where we lost. I was also charged with an old law that is a land law and has nothing to do with water. A few months ago when the District Attorney saw that the AUCRA law was no good, I was charged with stealing property from the state. This is the law that the jury convicted me of, a misdemeanor. The reason that the jury ruled against me was to send a message to the people of Alabama. The jury found me innocent of a felony.

(Continued next page)

## Selma Alabama Trial Results (Continued)

The Dallas County District Attorney in the closing arguments asked the jury to find me guilty to send a message to the people of Alabama to not come to Selma, Alabama. I got the message. I won't be coming to Selma until we win our appeal. I won't be spending any money in restaurants, hotels, gas stations, or any other stores or businesses in Selma. We won't be bringing any groups to Selma or Aruba until the people of Alabama are treated better in both places. The DA was clear in his request that we stay away. People from outside of Selma are not welcome. This is their right and I respect their wishes. I do ask that the legislators from the rest of Alabama remember that Selma doesn't want us and I hope that our tax monies will be used in places that we are welcome. I hope to someday be able to continue my work of documenting the work that was done at Selma during the Civil War. History is the loser. Below I have included my lawyer Erskine Mathis's response on the outcome of the trial. We will put the transcript of the trial on our web site when we get it.

Steve Phillips

Save Our Lost History

## ## ##

Dear Steve,

I read the article in the Times Journal. I could not disagree more. This is a resounding defeat for the Underwater Cultural Resources Act. They lost on the misdemeanor count as well as the felony count.

You were convicted of Theft of Property 3rd degree. That is the same as shoplifting. I do not believe it will stand after appeal, because I do not believe it is possible to steal from someone (the State of Alabama) who does not know the property even exists.

The law in Alabama is that if you find abandoned property on someone else's land, and that property is on top of the ground, finders keepers rules except to the actual owner. However, if you find abandoned property on someone else's land and it is embedded in the soil, the property belongs to the owner of the land.

The State of Alabama, by case law going back at least to the 19th Century, owns the bottoms of the rivers. In our case, the state claimed that the rifle Steve recovered was embedded in the bottom of the river and therefore it belonged to the State, and if Steve took it without their permission he committed theft.

I believe this is a tremendous stretch for our theft statute. In the first place, the case law the State relied on in this case was civil law. It might well rule, if someone were sued to recover the property, but I do not think it should carry the day in a criminal trial. If this is the law of Alabama, anyone walking down the highway who finds and recovers something half buried on the side of the road, something thrown out by a passing motorist, that person has technically committed theft because they took property of the State of Alabama without permission.

I believe I can overturn this conviction on appeal.

Erskine

## ## ##

**The FMDAC Officers, Chapter Presidents & Board Members wish to thank those members who supported Steve Phillips with calls, letters, donations and other methods of support.**

# The FMDAC held its 2005 Fall Convention in the South Eastern Chapter in Panama City Beach, Florida

## TOP 16 WINNERS

<b>Name</b>	<b>City &amp; State</b>	<b>Club</b>	<b>Prize</b>
Frank Colletti	East Meadow NY	Silver Seekers	Silver & Gold
Duane Biller	McClellandtown, PA	Silver Seekers	Grand Prize - \$1250 Chest
Rickey Crowe	Pearlington, MS	Independent	Silver & Gold
Bill Hayes	Newark, OH	Silver Seekers	Silver & Gold
Mike Race	Lancaster, PA	Lancaster	Mini Chest
Bret Worden	Wolcottville, IN	Miami Valley Coin	1st Prize - \$750 Chest
Bill Hayes	Newark, OH	Silver Seekers	Mini Chest
Kim "Streak" Cox	Stroudsburg, PA	Lancaster	Silver & Gold
Elvis Burton	Cincinnati, OH	Tri State R&R	Silver & Gold
Mark Laflin	Tell City, IN	Silver Seekers	Silver & Gold
Linda Bennett	West Palm Beach, FL	SRARC	Mini Chest
Donald Hickey	Winter Springs, FL	Independent	Mini Chest
Dolly Newcome	Livonia, NY	Genesee Valley	Silver & Gold
Vic Kamer	Sarver, PA	Butler	Mini Chest
Rolo Davis	Orlando, FL	Independent	Mini Chest
Charles Ribinisky	Beach Haven, NJ	Independent	Silver & Gold

## DETECTOR WINNERS

Sue Race	Lancaster, PA	Lancaster R&R	Fisher
Linda Pavlischak	Stroudsburg, PA	Lancaster R&R	Minelab
Walter Miller	Cincinnati, OH	Silver Seekers	Garrett

## Daytona Great Shootout

Wally Swartz	Pinellas Park, FL	SRARC	silver dollar
Bill Babb	Pompano Beach, FL	Silver Seekers	silver dollar
Walter Genter	Virginia Beach, VA	Silver Seekers	silver dollar
Walter Miller	Cincinnati, OH	Silver Seekers	silver dollar
Sam Lattica	Virginia Beach, VA	Tidewater	silver dollar
Linda Pavlischak	Stroudsburg, PA	Lancaster R&R	silver dollar
Jo Ashley	Lancaster, PA	Lancaster R&R	\$50.00 cash
Ken Weitlauf	Cincinnati, OH	Tri State	\$50.00 cash

## DEAF FUND RAFFLE

Jo Ashley	Lancaster, PA	Lancaster R&R	Tesoro Compadre
Ed Strnard	Wabasso, FL	Silver Seekers	hand scoop
Bob Feldman	Lancaster, PA	Lancaster R&R	long handled water scoop

## WHITE'S RAFFLE

Joyce Laflin	Tell City, IN	Silver Seekers	White's detector
Rick McCombs	McCalla, AL	Independent	25 oz. silver bar

## DETECTOR RAFFLE

Ed Burke	Kingston, PA	SVMDC	Garrett metal detector
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## BETTY WEEKS CLOCK

Jim Bozeman	Chula Vista, CA	Coinshooters of SD	Clock
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## LOST & RETURNED: THE SOUTHEAST CHAPTER DOES IT AGAIN!

"Once again we have a happy ending to a story that started to unfold during a day of hunting at a local beach. Club member, Gene Robertson, was testing his skills at Siesta Key Beach near Sarasota when a good strong signal broke his reverie. Pinpoint, scoop and ...aaah, and what did he behold but the vision of gold! Now were talking about a good day at the beach!!! His find turned out to be a 1990 class ring from Duke University. Gene decided that he would have to determine who the owner was and get it back to him. He enlisted some aid in doing a computer search and was successful to locating the owner, who requested anonymity in the story. He advised that the ring had been lost two years ago while he was swimming there at Siesta Key Beach. He had removed his ring to swim and left it in his T-shirt on the beach. Unfortunately it was close to waters edge and when the tide came in, well I think you know the rest of the story. He found his t-shirt floating in the surf when he got back and no ring. Gene found the ring right in the edge of the surf line a few inches deep in the sand. Due to its size it probably buried itself right where it fell off the t-shirt! Needless to say he was delighted in getting his ring back and Gene felt pretty good about it all himself. Suncoast Research & Recovery Club would like to thank Gene Robertson for doing the right thing!"

Submitted by Wally Swarz  
SE CHAPTER PRESIDENT

## LETTER FROM THE EDITOR

As you know, this publication belongs to you! If you would like to see something included in the Quest, please let me know. I will be happy to include any notices that you may feel are important, to you, your club, and the hobby.

Please keep in touch with us.  
Frank Colletti

## KIDS KONTEST WINNERS

As is our tradition, the Kids Essay Kontest winners were selected at the Annual Fall Convention.

I had the pleasure, once again, to read some of the essays that were submitted to the attendees at the convention. Thank you for your participation.

This year's winners were:

**Michael Saunders** – Silver Seekers in McClellandtown, PA

and

**Cheyenne Bilby** – Arkoma Coin & Relic Club in Siloam Springs Arkansas

Also, please help me with the essay contest. I am running out of ideas. Please forward suggestions for essay topics to me at [Treashunt@hotmail.com](mailto:Treashunt@hotmail.com). Please put Kids Kontest in the subject line so that I will read it as soon as possible.

Thank you.  
Frank

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## Advertising

Your Advertisement could be right here! Please contact Jill McFeeders, National Treasurer or Frank Colletti or Harry Niemeyer for advertising rates.

Your ad will also be included in the Quest that is sent to members and on our web page at [www.fmdac.org](http://www.fmdac.org)

Support your Federation.  
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**SEMINARS AND DEALERS DISPLAYS**

At the Convention there will be dealer displays & several seminars by some of the top people in our hobby and once again the seminars will be free. This will start Friday at 4:00 pm to 8:00 pm and continue on Saturday from 10:00 am to 4:00 pm.

**ADDITIONAL INFORMATION**

If you need any info or have any questions contact: Mark Schussler at (585)591-0010 or Duane Biller at (724) 439-1380 or Jill McFeeders at (330)364-1608 or e-mail [jcseeker@core.com](mailto:jcseeker@core.com)