

## THE "OLD LINER" NEWSLETTER

### Civil War fort at Jamestown is dug up to get at 1607 site

By W. Barksdale Maynard,  
Washington Post, May 7, 2012

Since the sensational 1994 discovery of James Fort, the first permanent English settlement in the New World, excavations have revealed palisade walls and numerous buildings, along with remarkable clues about the Anglo-American culture that started with the landing of colonists on Virginia's Jamestown Island in 1607. But because much of the original fort is buried underneath a Confederate earthwork called Fort Pocahontas, these discoveries forced a painful historical and archaeological trade-off. To reveal James Fort, nearly half of Fort Pocahontas has been removed.

In the process, invaluable traces of America's founding have been discovered right next to remains from the Civil War. "It's probably the only place you would have a story like that," says Colin Campbell, president of Colonial Williamsburg, citing the conjunction of two pivotal moments in U.S. history. "I think it's absolutely fascinating."

To some observers, the fate of Fort Pocahontas — a series of rolling, grassy mounds shaded by old cedar trees — is a vivid demonstration of the axiom "Archaeology is always destructive." But William Kelso, chief archaeologist at Jamestown Rediscovery, which is doing the excavation, disagrees: "If properly excavated and recorded digitally in 3-D, as we did, it is no longer valid to say we destroy sites."

The remains of James Fort and Fort Pocahontas lie on 22.5 acres owned by Preservation Virginia, a nonprofit organization. The remaining 1,500

acres of Jamestown Island belong to the National Park Service. James Fort itself originally enclosed 1.1 acres.

The archaeologists working for Preservation Virginia have excavated Fort Pocahontas with the same care they apply to James Fort, says team member Bly Straube: "We've removed it with shovels and trowels, recording everything using [graphic information system software], digging in a grid system where it's all mapped in. We're not just arbitrarily digging things up."



(Scott Neville/FOR THE WASHINGTON POST) - Senior staff archaeologists Dan Schmidt, left, and David Givens work at the site of the Civil War fort.

As Fort Pocahontas gets steadily cut away, valuable insights have been gained into Civil War fortifications. Last year a bombproof — an underground, timber-lined room where soldiers could hide if they were bombarded — was uncovered. It's one of the few that professional archaeologists have ever excavated. Well-preserved log supports and even Civil War sandbags were unearthed.

Fort Pocahontas was established in 1861 as Confederate forces prepared to defend Richmond from possible naval assault during the opening months of the war. (It is not to be confused with an 1864 Union fort of the same name, farther up the James River.) Military engineers

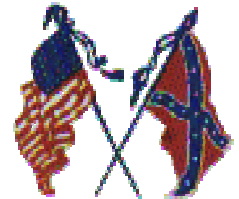
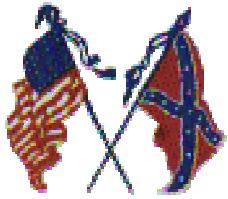
unknowingly placed Fort Pocahontas right atop the traces of James Fort, the location of which had long been forgotten. But the spot is ideal for fortifications, with commanding views of the James River.

The decision to remove much of Fort Pocahontas took into account the fact that troops never fired a shot in anger from it during the Civil War. Instead, Pocahontas was abandoned as Union forces advanced overland in May 1862. The fort did, however, play a part in the most famous naval duel of the Civil War, between the Union's USS Monitor and the Confederates' Merrimack (renamed CSS Virginia), the first battle ever between ironclad warships. Confederates used the fort's cannons to test armor plates for the Virginia, blasting them with eight-inch shells from powerful Columbiad cannons.

Kelso has found fragments of such shells, along with hundreds of spikes that once affixed the plank floors of the gun emplacements. Virginia's plates later survived a pounding from the Monitor's guns during their fabled 1862 engagement in the nearby waters of Hampton Roads.

The construction of Fort Pocahontas — primarily by slaves — severely damaged the underground remains of the southern half of James Fort. To create the earthwork, the workers scraped off the top layers of soil at the site, often to a depth of several feet, then piled the dirt high to create a berm. This scraping annihilated, or at least scrambled, the near-surface traces of the 1607 settlement.

The slaves' shovels were slicing into one of the most important sites in American history, where 104 pioneers planted the British flag permanently in the New World in May 1607 and quickly erected a triangular wooden fort. Led for a time by Capt. John



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Smith, the tiny settlement was decimated by disease and Indian attack, but it rebounded after supply ships arrived in 1610, just as the beleaguered survivors of the original company, giving up hope, had started to sail down the river for home. The marriage of settler John Rolfe to Pocahontas, daughter of the local chief, heralded a more stable period: Anglo-America was safely underway. In 2010, Kelso discovered the 1608 church inside James Fort where Pocahontas wed Rolfe. The uppermost five feet of its foundations were missing — carted several yards away to build Fort Pocahontas.

In the process of building the Civil War fort, according to an account at that time, the slaves happened upon "curious relics" from the colonial settlement of 250 years earlier, including an iron elbow-piece, or vambrace, belonging to a 17th-century suit of armor. The vambrace was donated to the Virginia Historical Society in the late 19th century; it is now on display at Jamestown's Archaearium, a new museum. The vambrace is much better preserved than recently excavated armor, which is all reduced to rust due to exposure to moisture over time.

For Kelso, the vambrace is proof that Jamestown should be subjected to intensive archaeology now, as he is doing, not later. "Burials and iron objects are going to be gone in the next 20 years," he says, as deterioration of buried items inexorably advances.

Since 1994, Kelso and his co-workers have recovered 1.4 million artifacts from James Fort. To fund the work, he relies on grants and donations and some gate receipts from visitors. But, says Straube, "It's been a struggle to keep going." In 2010 a partnership was formed with Colonial

Williamsburg, and public programming has been increased to lure more paying visitors.

The lumpy, undulating earthen walls of Fort Pocahontas have turned out to be chockablock with small artifacts highlighting everyday life in the 1600s. Among them are a paring knife found last summer and Elizabethan coins that might have jingled in Shakespeare's pocket before a settler brought them to America. "Over the years we have screened every square inch of a huge volume of soil," says team member David Givens. "All the best stuff was up in the Confederate fort.

Although the building of Fort Pocahontas severely damaged the southern part of James Fort, it helped preserve the northern section. Its imposing berms of heavy soil dissuaded casual digging by amateur archaeologists or looters. "I'm absolutely amazed at how much of James Fort is left," says Al Luckenbach, a Maryland expert on colonial excavations. "There were so many opportunities for later generations to ruin the site."

Farming and urbanization have swept away many Civil War earthworks in the South, including three of 11 rebel forts that defended Williamsburg. As Petersburg expanded in the mid-20th century, some sizable forts from the city's 1864-65 siege were flattened for shopping malls and houses. But the case of Fort Pocahontas is virtually unprecedented: the deliberate removal of a historic earthwork that had been preserved within a park.

Because the James Fort site is in private hands, Kelso has enjoyed considerable latitude compared with what he might have encountered on federal property, where archaeology is discouraged except in advance of

necessary construction or roadwork. Kelso stresses that he has "met and exceeded" federal standards for investigating an archaeological site. Preservation Virginia's initial decision to excavate was approved by an advisory committee of archaeologists. James Lighthizer, president of the Civil War Trust, a preservation organization, regards the removal of Fort Pocahontas as an acceptable trade-off. "I would think James Fort would be a heck of a lot more important" than the 1861 earthwork on top, he says.

"The decision to dismantle the Confederate fort was taken with great care," says Ivor Noel Hume, former director of archaeology for Colonial Williamsburg, who served on Preservation Virginia's advisory panel. "And it was very carefully taken apart. They could have used a bulldozer. Instead, they have done as good a job as is possible to do."

As one fort wanes, another is revealed in spectacular detail. "Destroying a Confederate fort to get to James Fort is a shame," says Luckenbach. "But Virginia has lots of Confederate forts, but there's only one James Fort. And it's stunning what they've found there."

### **Finders Keepers Must Vacate Dents Run Site**

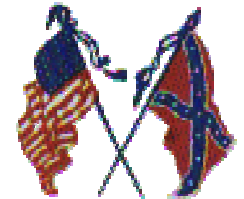
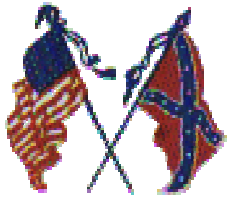
By Brittany Boyer, wjactv.com, April 19, 2012

DENTS RUN, Pa. —

For more than a century treasure hunters across the country have been in search of the lost Civil War gold in Elk County.

Finders Keepers, a company that locates and recovers lost treasure has been in search for gold in Dents Run since 2005.

Dents Run is located just near the Cameron County border.



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Dennis Parada and his son Kem began searching for the lost gold at this site in November 2005.

"Some thought we would have given up by now, but no way. We know what is up there, we're not giving up," said Dennis Parada.

Parada said that in July, Finders Keepers hit gold with their machines in Dents Run. Due to the law, Parada said that they were not allowed to dig up their findings.

Parada is confident that he and fellow members of Finders Keepers found the Civil War gold.

For the first time, Finders Keepers allowed TV cameras at their site in Dents Run. Parada said that their ground penetrating locator (GPL) has dedicated gold and silver.

Parada said that they believe there is a ton and a half of gold underground.

He said that he believes the gold is in the form of bars.

Parada also noted that they believe there is a 12 x 12 area of silver.

Finders Keepers cannot dig up the gold. In early April they also found out that they have to leave the site.

The Department of Conservation and Natural Resources sent Finders Keepers a letter stating that they had to cease all operations and vacate the property immediately.

Finders Keeps must leave by 3:30 p.m. on Friday.

"Sitting on the gold knowing where it was at all these years we can deal with that. But, once people come in and start digging, that's when we get mad," said Parada.

Finders Keepers tells 6 News they just want to prove that there is gold.

Unfortunately, the state is not giving them the opportunity.

"We don't feel that it is the end. We're not going to give up, we're going to keep claiming to the site," said Kem Parada.

Finders Keepers told 6 News that they plan on taking DCNR to court.

In the meantime, they are also in the process of lining up a series on Dents Run with the History Channel.

### **Chicago sculptor replaces sword at Lincoln Tomb**

By CHRIS DETTRO, The State Journal-Register, May 13, 2012

The artillery officer atop Lincoln's Tomb is whole again, thanks to Chicago sculptor Marshall Svendsen. Svendsen and his assistant, Loc Hong, on Friday replaced the officer's sword in the artillery battle grouping on the northwest corner of the tomb's terrace. The sword had been broken off and stolen by a 16-year-old who had gone to the upper deck after closing hours in October.

"My father, who is in the wine business in Beijing, heard about the sword being broken and called me," Svendsen said. "He suggested, as an Illinois company, that I could do something about it."

Svendsen called Chuck Giger, facilities manager for the Illinois Historic Preservation Agency, and volunteered the services of his company, True Form Productions.

"It's been a great experience," Svendsen said.

#### **Authentic reproduction**

Svendsen made a trip to Oak Ridge Cemetery in January and examined the bronze statue "and tried to document what was up there the best I could."

The pieces of the broken sword — which was itself a copper replacement for the original bronze version, which was stolen in 1890 — were recovered and the teenager arrested after a tip to police in December.

"Thankfully they were recovered," Svendsen said. "The final product is more authentic." He said he made silicone molds from the two parts. Had the pieces not been recovered, he said, he could have worked from photos.

"This is preferable because it's much more accurate," he said.

Svendsen said it took him about forty hours to craft the roughly three-foot sword. He and Hong took about an hour to reattach the sword onto the officer's statue. Much of the raw material for the statue, which is part of a "battle grouping" depicting a Civil War artillery unit, came from melted-down Civil War cannons.

Most of that time was spent applying a sulfur and water mix, then heating it with a blowtorch to properly oxidize the bronze.

#### **Historic project**

Svendsen said he made sure to get a nice fit of the sword onto the officer's hand.

He said he took the historical project — the first he had ever done — seriously.

"You don't get to do something like this every day," he said.

Svendsen declined to say how much the project would have cost had he not been working pro bono.

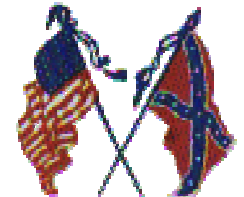
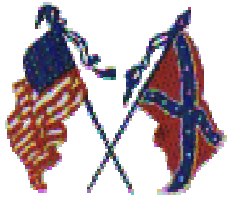
Catherine Shannon, acting director of the IHPA, said the agency was trying to figure out what to do about the damage to the statue when "a couple" of companies offered their services.

Shannon said she is grateful that the tomb is now getting a better quality sword.

The agency still has the broken pieces of the copper sword.

"I guess we'll have to figure out what to do with it," she said. "It's an artifact, and we won't throw it away."

The artillery grouping is one of four mounted on large pedestals on the



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four corners of the terrace level of the tomb. Each consists of a group of figures representing one of the four Civil War services — infantry, artillery, cavalry and navy.

Four cities — Chicago, New York, Boston and Philadelphia — originally agreed to pay for the statues. The naval and infantry groupings were erected in the 1870s and paid for by Chicago and New York.

But Philadelphia and Boston backed out of the deal, and the state of Illinois paid for the cavalry and artillery works in the 1880s.

The terrace area of the tomb has been blocked off to public admittance in recent years.

### Marker planned at grave of Glorieta battle hero

Tom Sharpe, *The New Mexican*, April 24, 2012 - 4/24

The grave of the hero of the Battle of Glorieta Pass has been rediscovered in the village of San Mateo, about 100 miles west of Santa Fe, says one of his relatives.

Manuel Antonio Cháves' descendants, his biographer and veterans groups plan to dedicate a new military headstone there on May 5.

Cháves (1818-1889) often is credited with winning the Civil War battle 150 years ago by leading a Union squad through the mountains, behind Confederate lines, to destroy the Rebels' mule train of supplies. Although the battle essentially was a draw, the Confederates returned to Santa Fe destitute and soon retreated back down the Rio Grande to Texas. Phillip Marquez, who lives about 20 miles south of Gallup, said he found what he believes to be the grave of his great-great-great-uncle about 35 years ago in the San Mateo Cemetery, on the north slope of Mount Taylor.

"Me and this guy were going through the Chamisa bushes at that little cemetery in San Mateo and we found this grave," he said. "It's like a cement cross with an iron rod sticking out of the top of it with threads on top with a brass medallion screwed in that says, 'Veteran of Indian wars.' " Marquez said the medallion, about 3 inches in diameter, has a relief of a mounted American Indian with a war bonnet and a spear that is similar to a medal issued in 1907 to veterans of the Indian wars, he said. Although someone subsequently stole the medallion, Marquez remembered the location of the grave site, which he and other relatives believe to be the final resting place of Cháves and his wife, Vincenta Labadie de Cháves.

"The writing on the headstone is illegible," he said. "The front has like a blue patina -- a blue tinge, I guess, upon it, but we cannot with the human eye make out what it says. ... Maybe there's some sort of technology that I'm not aware of that would pick something up there." Manuel Cháves grew up in Western New Mexico during the Mexican period, 1821-1846, when Spaniards and Navajos regularly raided each others' communities to capture children as slaves.

According to a biography by Marc Simmons, *The Little Lion of the Southwest* (1973), Cháves, at age 16, narrowly escaped when Navajos attacked him on a slaving raid at Canyon de Chelly in northeastern Arizona.

With seven arrow wounds, Cháves was able to make it to San Mateo, where he was rescued by shepherds. He vowed to build a chapel there to commemorate his survival. Cháves was able to fulfill that promise years later after he retired as a

lieutenant colonel in the U.S. Army and was living in Tomé, near Los Lunas, when his half-brother, Roman Baca, asked him to share in his ranch in San Mateo.

After Cháves and his wife died, they were buried beneath a little chapel next to their hacienda. But in the early 1920s, the new landowner, Floyd Lee of the Fernandez ranching company, had the graves exhumed and the chapel razed.

Marquez said the Cháveses' son, Amado Cháves, mayor of Santa Fe in 1901-02, kept the whereabouts of his parents' new grave sites on papers kept at his Santa Fe office as superintendent of public education. But the papers were destroyed in a fire that swept the state Capitol in 1892, and the graves were lost until they were rediscovered in the 1980s. Marquez said his cousin, Steve Mirabal, living in Idaho, took it upon himself to contact veterans organizations about the grave and obtain a new military headstone

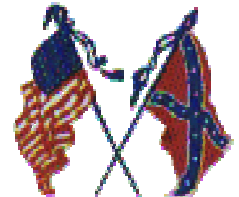
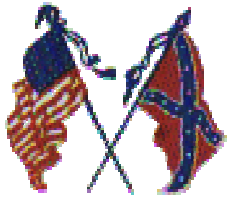
### Restoration returns shine to Gen. Wallace Study and Museum

By ABIGAIL MAURER, [jconline.com](http://jconline.com), April 24, 2012

Travelers visiting the Gen. Lew Wallace Study and Museum this summer will see the building as it might have looked when the author of Ben-Hur began using it as a study and "man cave" 120 years ago.

After months of renovations that wrapped up in early April, the structure has never looked better.

"This is a tremendous step forward in restoring the way it would have looked when the general designed it," said Kara Edie, marketing director for Montgomery County visitors bureau. She considers the Wallace study the "jewel" of the city.



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The total cost of the project was approximately \$180,000 dollars.

The first phase of the project included restoring the domed roof, terraces, back door and foundation. The work was made possible by donations and grants from Montgomery County Community Foundation, the Efrogmson Family Fund through the Central Indiana Community Foundation, the USDA, the City of Crawfordsville and private business and individuals.

The final phase of the project was restoring the stucco facade which had crumbled due to years of wear. The facade work was paid for by a grant from North Central Health Services through the Tippecanoe Arts Federation.

"The crumbling facade affected the interpretive plan" of the museum, said Edie. "The renovations bring the study back to the way the general wanted it."

According to museum director Larry Paarlberg, Wallace was the chief architect and designer of the study.

"He designed this study around the things that interested him."

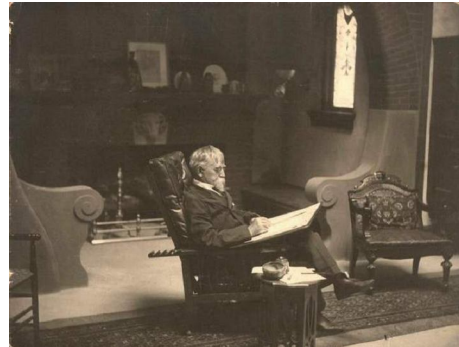
The interior of the study remains arranged in a fashion similar to how Wallace organized it.

On the outside, "We re-did the roof with copper to replicate the original appearance of the study," Paarlberg said.

A series of paintings that Wallace collected or painted himself, the chair and lap desk he used while writing "Ben-Hur: A Tale of the Christ," and his personal library are among the historical artifacts visitors can view.

Wallace wrote Ben-Hur under a birch tree on the property before the study was built. As the novel met with huge success — it was the best selling novel in America from 1880 until 1936 when "Gone with the Wind" was

published — he used proceeds from its sale to pay for the study's construction in 1895. Wallace died in 1905.



General Lew Wallace, author "Ben-Hur," is seen writing in the Crawfordsville study that he designed and had built in 1895, 10 years before his death. Months of renovations of the Gen. Lew Wallace Study and Museum were completed in early April, 2012. / Photo courtesy of Gen. Lew Wallace Study & Museum

Paarlberg said the museum garners attention from local, national, and international tourists as well as researchers interested in the life of Wallace.

"There are a lot of researchers looking at Wallace for different reasons, whether it is his involvement in the Mexican War and Civil War, or his time as an ambassador to the Ottoman Empire."

### **Seventeen year old discovers source of Shiloh's "Angel's Glow"**

By Ghillieman, Auburn Journal (CA), April 26, 2012

In the spring of 1862, a year into the American Civil War, Major General Ulysses S. Grant had pushed deep into Confederate territory along the Tennessee River. In early April, he was camped at Pittsburg Landing, near Shiloh, Tennessee, waiting for Maj. Gen. Don Carlos Buell's army to meet up with him.

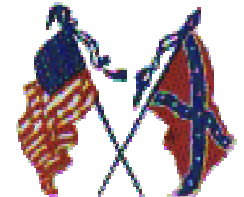
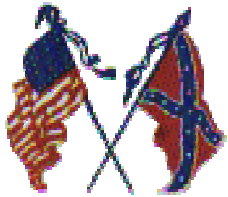
On the morning of April 6, 1862, Confederate troops based out of nearby Corinth, Mississippi, launched a surprise offensive against Grant's troops, hoping to defeat them before the second army arrived. Grant's men, augmented by the first arrivals from the Ohio, managed to hold some ground, though, and establish a battle line anchored with artillery. Fighting continued until after dark, and by the next morning, the full force of the Ohio had arrived and the Union outnumbered the Confederates by more than 10,000.

The Union troops began forcing the Confederates back, and while a counterattack stopped their advance it did not break their line. Eventually, the Southern commanders realized they could not win and fell back to Corinth until another offensive in August.

All told, the fighting at the Battle of Shiloh left more than 16,000 soldiers wounded and more 3,000 dead, and neither federal or Confederate medics were prepared for the carnage.

The bullet and bayonet wounds were bad enough on their own, but soldiers of the era were also prone to infections. Wounds contaminated by shrapnel or dirt became warm, moist refuges for bacteria, which could feast on a buffet of damaged tissue. After months marching and eating field rations on the battlefield, many soldiers' immune systems were weakened and couldn't fight off infection on their own. Even the army doctors couldn't do much; microorganisms weren't well understood and the germ theory of disease and antibiotics were still a few years away. Many soldiers died from infections that modern medicine would be able to nip in the bud.

Some of the Shiloh soldiers sat in the mud for two rainy days and nights



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waiting for the medics to get around to them. As dusk fell the first night, some of them noticed something very strange: their wounds were glowing, casting a faint light into the darkness of the battlefield. Even stranger, when the troops were eventually moved to field hospitals, those whose wounds glowed had a better survival rate and had their wounds heal more quickly and cleanly than their unilluminated brothers-in-arms. The seemingly protective effect of the mysterious light earned it the nickname "Angel's Glow."

It wasn't until 2001 that this 1862 mystery was finally solved. Seventeen-year-old Bill Martin was visiting Shiloh with his family, where he heard about the strange glow. His mother, microbiologist at the USDA Agricultural Research Service, had studied luminescent bacteria, and Martin wondered if similar bacteria might have been at work. With his friend Jon Curtis, Martin researched *Photobacterium luminescens*, a type of bacteria that lives in the guts of parasitic nematodes. When nematodes vomit up the glowing bacteria, *P. luminescens* kills the other microbes living in the nematode's host.

Normally, *P. luminescens* couldn't live in the human body since it dies at human body temperature. But Martin and Curtis, studying the historical records and the conditions in Shiloh, realized that the nighttime temperatures were low enough for the soldiers to develop hypothermia, allowing the bacteria to thrive in their bodies, kill off competing bacteria, and perhaps save the lives of their human hosts.

It is not known how many lives were spared or improved by the helpful "Angel's Glow" phenomenon.

### Search for historic window sees light

Kenneth C. Crowe II, Albany Times Union, May 3, 2012

SCHENECTADY —

A stained-glass window, the only monument honoring the Civil War service of the 169th New York Infantry Regiment, has been found decades after it was last seen in a former Episcopal chapel in Menands. The discovery that the artifact is safe in a Schenectady couple's home was greeted jubilantly by the descendants of soldiers who fought in the battle-tested Army unit known as the Troy Regiment.

They never lost heart that they'd find the memorial window from St. Margaret's Episcopal Church, even though they ran into numerous dead ends in their search.

"The big thing is we know where it is. And it's in safekeeping now," Bill Connelly of Northumberland said Wednesday

Connelly and Steven Wiezbicki of Fort Collins, Colo., have been searching for the window honoring the hard-fighting 169th in which their ancestors served.

They focused on the various congregations that have owned the church since 1984 when it was sold by Episcopal Diocese of Albany. The Times Union assisted in locating information about the building's owners and pastors.

Colonia Town Historian Kevin Franklin helped them obtain a list of church members for the Road to Damascus Church, which once owned the building on Brookside Avenue, just west of Menands Village Hall.

The location of the historic St. Margaret's window comes on the eve of a visit to the Capital Region by the head of the national Episcopal

church. On Friday morning, Presiding Bishop Katharine Jefferts Schori will give the keynote address at the church's provincial synod, which includes the dioceses from New York state and New Jersey as well as the Caribbean and Europe. The synod is held in preparation for the triennial General Convention in Indianapolis in July. Wiezbicki located the window Tuesday night when he spoke to Lori DeSorbo of Schenectady.

"As it turns out, these windows were purchased from the Road to Damascus Church organization by one of the church elders, Louis Desorbo, as a gift for his wife, Lori," Wiezbicki said in an email.

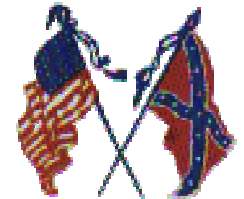
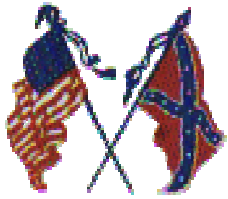
Connelly said the couple liked the 169th Regiment window. When the church shipped it to New York City to an auction house for sale, Louis DeSorbo bought it and brought it Schenectady.

Connelly and Wiezbicki would like to obtain color photographs of the window. The only picture they have is a black and white drawing.

This depiction appeared with an article in The Albany Evening Journal describing the dedication ceremony, which reported: "The window is simple in design, containing the single figure of an armored soldier bearing a banner on which is an Army corps cross. One hand rests on a shield about which is entwined a victorious wreath."

The window's inscription reads, in part, "In memory of the heroic dead of the One Hundred and Sixty-ninth NYS volunteers this window is placed in St. Margarets Ch. by their comrades, Sept. 25, 1894."

Connelly said he would like to see the 169th window displayed in the New York State Military History Museum in Saratoga Springs.



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### Fight for Texas Historical Marker Sparks Concerns

by Brandi Grissom, Texas Tribune,  
May 9, 2012

Reigniting a racially charged debate many thought had flamed out, the Texas Sons of Confederate Veterans association is working to install another historical marker on the Texas Capitol campus recognizing the Confederacy.

"It's nothing, frankly, that anybody needs to get their knickers in a twist about," said Kirk Lyons, the group's colorful lawyer.

The organization argues that it is simply trying to highlight an interesting and important tale about how the Texas Supreme Court building came to exist through the use of Confederate veterans' pension funds. Critics, including 12 lawmakers who fired off a letter Tuesday opposing the marker, say the group is making another attempt to glorify Confederate soldiers and revise the group's history of racism and slavery. "Confederate apologists have spent almost 150 years trying to change the Civil War into something that it was not," the lawmakers, including state Sen. Rodney Ellis, D-Houston, wrote in a letter to the Texas Historical Commission. "Here's what it was: an insurrection against the United States government with the main goal of maintaining the institution of African slavery."

The Sons of Confederate Veterans received preliminary approval in January to install a historical marker at the Texas Supreme Court building that commemorates the use of Confederate pension funds to erect the structure. This week, though, the Texas Historical Commission informed the group that state law

prohibits the installation of new markers on the Capitol grounds.

"We need to get that up," said the group's highest-profile Texas member, Land Commissioner Jerry Patterson, of the marker. "It's a historical monument, and it tells a story."

With an official state holiday, an effort under way to secure an official license plate and at least three large monuments honoring the Confederacy already on the Capitol grounds, Ellis said, the losing side of the Civil War has gotten its due.

"This is getting ridiculous," Ellis said. "There are more than enough tokens celebrating the Confederacy."

The leader of the Texas NAACP said existing plaques at the Texas Supreme Court building already note the role of the Confederate pension fund in its construction.

"There is not much more to say about this, and hopefully no efforts will be made to glorify the Confederacy," said Gary Bledsoe, president of the NAACP of Texas.

The latest effort comes after a 2010 court ruling in a decade-long legal battle between the state and the Sons of Confederate Veterans over plaques at the Supreme Court building. The back-and-forth over the Confederacy's recognition has gone on even longer, and the lawsuit isn't officially over. Lyons said installing the historical marker might finally end the fight.

"It is a byproduct, but a very peaceful byproduct, of the ongoing struggle," Lyons said.

The group, he said, has not been informed that its application for the marker was denied. And he disputed the Historical Commission's interpretation of the law regarding placement of monument on the Capitol grounds.

Texas voters approved a constitutional amendment in 1954 that allowed money from the Confederate veterans pension fund to be used for new buildings. At the time, the number of living Confederate veterans had dwindled, and the funds were sitting idle. Meanwhile, the state bureaucracy was growing, and the Capitol building wasn't big enough to house all the new agencies.

The Supreme Court structure was built in 1957, and in its cornerstone are copies of the constitutional amendment and the law that designated the building as a memorial to Texas Confederate veterans. Two plaques were installed in the mid-1960s. One noted the building's dedication to the veterans. The other bore a quote from Gen. Robert E. Lee: "I rely on Texas regiments in all tight places, and I fear I have to call on them too often. They have fought grandly, nobly."

Nearly two decades later, voters repealed the constitutional provision relating to the Confederate pension funds, and in 1979 the Legislature repealed the law dedicating the building to the veterans.

The plaques were quietly replaced in 2000 amid then-Gov. George W. Bush's run for the White House and a national controversy over Southern displays of Confederate symbols. The new plaques are less overt in their praise. One simply says that Texas courts should provide equal justice to all "regardless of race, creed, or color." The other reads: "Because this building was built with monies from the Confederate Pension fund it was, at that time, designated as a memorial to the Texans who served the Confederacy."