



CAVE OWNERS' NEWSLETTER

Published by the **VIRGINIA CAVE COMMISSION**

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VIOLATION OF CAVE PROTECTION ACT RISKS GRAVER PENALTY

Cave Protection Act was upped from a Class 3 to Class 1 misdemeanor. Commission members had pushed for such a change in the hope that this would serve as a greater deterrent to would-be cave vandals. As a result of this change in the law, the judge may, at his or her discretion, levy a greater fine or a longer period of imprisonment than before.

During the last session of the General Assembly, the classification of a violation of most sections of the Virginia

MORE SIGNS INSTALLED

Members of various caving organizations in the Old Dominion have now installed over fifty signs inside caves, so that those entering them may be properly aware of the provisions of state law that protect the caves. Vandals can no longer plead ignorance of the law in such caves, as was unfortunately the case at Fountain Cave earlier (as reported in the February 1982 Newsletter). Since then a gate has been installed at that cave and those desiring to visit Fountain must secure permission and a key from the Upper Valley Park Authority, owner. The Virginia Cave Commission developed a plan to manage the cave in such a way as to protect its content; the Authority reports that the plan is working well and traffic into the cave has diminished.

If you as a cave owner are apprehensive that visitors to your cave may carelessly destroy or remove speleothems or other materials found in the cave, and do not have a Cave Protection Sign within the cave, a communication to the Commission requesting installation of such a sign is solicited. Just reading the sign and realizing the possible harsh consequences of careless behavior inside the cave should keep some intruders from breaking the law. If you are interested in having your cave gated, the Commission can offer advice on this and/or put you in touch with some cavers who have extensive experience and capability relative to gating caves or otherwise physically restricting access (as with a fence).

COMMISSION ADDS NEW MEMBERS

Governor Robb has named three new members to the Cave Commission, replacing some whose terms expired or who resigned: Michael Barber, archeologist with the U.S. Forest Service serving in Virginia; Lynn Ferguson, science professor at Longwood College; and Roy Powers, science professor at Mountain Empire Community College. At a September 19 meeting in Charlottesville, Roy Powers was elected to head the Commission for the coming year. No funds for Commission activities are included in the state budget; projects such as providing the annual report mandated by the act establishing the Commission and sign installation and circulating this newsletter are covered by donations from individuals and cave-related organizations.

MORE LOCAL CLUBS We reported names and contact addresses for ten local caving clubs (or grottos, as most are called) in the February newsletter. Since then three more have been chartered:

MARION AREA GROTTTO, C/O Kathy Smythe, 217 W. Chilhowie St. C-5, Marion VA 24354.
POWELL MOUNTAIN GROTTTO, P. O. Box 297, Big Stone Gap VA 24219.
WARRENTON GROTTTO, c/o Duncan, 222 Dover Rd., Warrenton VA 22186.

HOW LIABLE IS A CAVE OWNER? Cave accidents (one in New Jersey that was fatal, unfortunately) made the headlines a year ago and raised the question with us about the liability of a cave owner. The Virginia statute is quite specific:

"Neither the owner of a cave nor his authorized agents acting within the scope of their authority are liable for injuries sustained by any person using the cave for recreational or scientific purposes if no charge has been made for the use of the cave, notwithstanding that an inquiry as to the experience or expertise of the individual seeking consent may have been made."

We asked some lawyers about this. While situations may vary, their general observation was that the owner isn't liable for injuries within his or her cave, assuming that it hasn't been maliciously boobytrapped. This doesn't mean that you can't absolutely be sued as there's no rule that people can't file a suit even when they have no grounds for success in winning the suit. But they'll have trouble finding a lawyer to handle a case with such a lack of grounds; legal advice would probably be not to sue. Some owners ask people entering their cave to sign a waiver of liability. This isn't a bad idea, although it's not necessary to give the owner freedom from liability. Such a waiver probably helps to acquaint the cavers with the fact that the risk is to be borne by the individual caver.

Liability does enter the picture if you as the owner make any improvements to the cave: building steps, for instance, or putting in a ladder. If such improvements are made, you take on the responsibility for maintaining them in safe condition.

CAVE RESCUE LIAISON At a meeting of the Cave Rescue Liaison Committee of the Virginia Region of NSS, Dave Morrow of Charlottesville was elected committee chairman. This committee provides caver input to the Virginia Association of Volunteer Rescue Squads (VAVRS) and has assisted VAVRS in putting on cave rescue orientation sessions for rescue squad personnel.

SHIELDS AND CRITTERS PROTECTED The Cave Commission played a part in the negotiations this spring and summer to ensure that the construction and maintenance of a water tank in Augusta County to provide water supplies for the Town of Grottoes would not endanger a rare species found in Madison Saltpeter Cave (and nowhere else in the world) or the famous shields in Grand Caverns. Once the problems were called to the attention of town authorities, modifications were made in plans to meet objections. Several Commission members attended a special Town Council meeting in Grottoes in July when final agreements were reached.

REWARD FUND UNCLAIMED To date there've been no successful claimants for the \$500 reward outstanding for information leading to the arrest and conviction of violators of the cave protection acts in either Virginia, West Virginia, or Maryland. Keep it in mind!

CAVE OWNERS RECOGNIZED At the National Cave Conservation and Management Symposium held in Harrisonburg VA November 4-7, recognition was given to the important role played by those who own our caves. You more than anyone else can protect this fragile resource.

At a banquet in Grottoes, VA, during the symposium, citations were given to two individual cavers who have done a great deal with exploration and study of Virginia caves. One of these, John R. Holsinger of Old Dominion University, Norfolk, has become internationally known in the field of cave biology; his start in the cave world was in Virginia. He has been active on the Virginia Cave Commission since its inception and during most of 1982 served as its chairman. He is also a member of the National Speleological Society, having served on its Board of Governors and its Research Advisory Board and was awarded Honorary Membership in that Society in 1980. Philip C. Lucas of Charlottesville VA has also been very active in exploration and protection of Virginia caves and is currently chairman of the Virginia Speleological Survey.

The Cave Conservancy of the Virginias also recognized contributions to speleology of four cave owners, two from Virginia and two from our neighboring West Virginia. West Virginians so honored were Estyl Lambert and Gordon Mothes. Lambert, owner for many years of Seneca Caverns, commercially operated, and nearby former commercial Stratosphere Balloon Cave, has been very helpful and friendly to the many cavers attracted to Germany Valley. He relinquishes the ownership of these properties at the beginning of 1983. Mothes some years back acquired some land containing entrances to a major cave system (though the vast extent of the system was not realized until later discoveries), and declared it a Cave Preserve. He has encouraged serious exploratory work on the system, has acquired land around additional entrance, and provided rustic camping facilities for cavers. He is a retired U.S. government employee.

In Virginia special notice was given to two people active in the immediate vicinity of our meeting: Lyall Steger and Dana McCarow. Steger's concern for the historic cave on his family property and the protection of the threatened species found there and in no other geographic location has been outstanding. Both he and McCarow worked closely with the Cave Commission during the negotiations with the Town of Grottoes to insure no harm would come to the caves on Cave Hill from the installation of the water tank (see p. 2). McCarow is the resident manager at Grand Caverns for the Upper Valley Regional Park Authority and has been very cooperative with organized cavers.

Those attending the Symposium included the President and Treasurer of the National Speleological Society, the chairman of its Conservation and Management Section, and a number of other Society leaders. The three days of the program included business sessions, papers, field trips to various caves in the Valley, and general socializing.

ENDANGERED SPECIES SAFER Without any fanfare, President Reagan signed the Endangered Species Act Amendments of 1982 reauthorizing the Act through September 1985. This happened in October. Environmentalists report that the act has been generally improved by the reauthorization process. However, authorization only sets limits to how much money can be appropriated and it remains to be seen whether adequate funding will be provided in the appropriation process for the continuation of programs vital to protection of endangered species. Recent discoveries in the plant field reveal that important medicinal and nutritional treasures may be contained in obscure little-known plants. Protection is important.

NSS LEADER RECALLS FIRST CAVING CONVENTION IN VIRGINIA

Although the National Speleological Society had its beginnings in the metropolitan Washington area, which includes northern Virginia, it was twelve years before the new organization for cavers held a national convention in Virginia. Donald N. Cournoyer, for many years an officer of the NSS, was asked to reminisce about the early relationship of NSS to Virginia, and has submitted this article. Donald Cournoyer, who resides in Arlington, VA, is a Fellow of the National Speleological Society and in 1970 was made an Honorary Member of the Society in recognition of his contributions to the field of speleology.

Strange as it may seem, the National Speleological Society had been holding annual conventions for nearly a dozen years before one of these events was scheduled for the State of Virginia--this despite the fact that the NSS was born in the neighboring District of Columbia. The 1954 convention was held in Pittsburgh PA; the 1953 convention in Louisville KY; that in 1952 in Hagerstown MD; all earlier ones had been held in Washington DC.

As far as I am concerned, there is no better place to hold a speleological convention than Natural Bridge, where NSS members gathered April 14-17, 1955. Twenty-seven years later I find the same excitement recalling the event as I did then at being appointed Chairman of that first Natural Bridge Convention.

Ever since 1935, when I first began collecting stamps, I became interested in the history of the United States. While many say it began in Massachusetts, I say that it was in Virginia. Why else would I have moved from Rhode Island in 1946 to make my home in Virginia? Little did I know then that one day I would be treading the same soil as Thomas Jefferson.

First it was at Monticello, then at Blowing Cave, and in April 1955 it was at Natural Bridge, which was once owned by Jefferson. He had purchased it in 1774, two years before our Independence, from King George III for twenty shillings, along with 157 acres. Truly the Natural Bridge is one of the seven natural wonders of the world. It is the ideal focal point from which one can see historic and scenic Virginia.

The hotel porch stretched the rambling length of the hotel to offer us the spectacular view of the Blue Ridge on the east, the Alleghenies on the west, and a panoramic display of nature's breathtaking beauty.

Oh, Yes! There we had a playground area so that we could encourage couples to bring their children. Mrs. Howard N. Sloane, the wife of our then NSS Treasurer, arranged a time schedule for babysitting by the mothers. To help the children feel at home, we suggested the parents bring some of their own toys, tissues, cookies, juice, and diapers. The adults had the Rockbridge Center, where they could indulge in table tennis, shuffleboard, pool, indoor swimming, dancing, hiking and, yes, even some caving on the property. All of this was within walking distance. Would you believe that a single room with bath was \$4 to \$6 and a double \$6 to \$9! Ah! The joys of my youth and carefree spending!

What was even stranger was the fact that while the NSS Board of Governors had approved the 1955 convention site, there appeared to be some mixup as to who would chair this activity. This came about by virtue of the fact that Burton S. Faust, who was then the Administrative Vice-President and Chairman of the Program & Activities Committee, was supposedly spearheading the convention. Every decision required Burton's approval and far too much confusion was developing; there was every indication that the convention might be a total flop!

I was not particularly concerned. I had not planned on attending because I had expected to be on the reconnaissance trip to the Antarctic in preparation for the 1957 International Geophysical Year Program. Initially I had been selected and was helping Bill Davies (then President of the NSS) to get his gear up to the South Boston Naval Annex where the icebreaker Atka was to dock adjacent to the building being used by the Weather Bureau for its Arctic Operations Projects. We were to depart in early December of 1954.

At the last minute my plans were changed and I was reassigned to fly up to the Arctic weather stations for the Christmas airdrop but, more important, was to land at our Alert weather station to introduce the new cook to the Canadian and U. S. personnel. The original cook was too ill to remain for the rest of the dark season.

When Davies learned of this last-minute change, he conned me into taking over the Convention and appointed me as chairman. Bill then advised Faust, Sloane, Lawrence, Mueller, Ludlow, and Brother Nicholas (NSS officers) of the appointment. Bill also told me in confidence to ignore "Smokey" [Burton] and not waste time explaining my every move for his seal of approval.

Bear in mind the fact that this gave us only 3-1/2 months to organize the convention. Hey! No way will I ever forget the heavy load put on others in helping me to make this a truly memorable convention. I will be forever grateful to Betty and Ackie Loyd, my wife Marty, and the D. C. Grotto for their immeasurable assistance.

Betty and Ackie, who still reside in Waynesboro VA, had made preliminary arrangements with the Natural Bridge Hotel. Other than Brother Nick having requested papers for the scientific sessions, those were the only arrangements achieved during the previous eight months.

With further help from Betty and Ackie, we met on several occasions to visit Natural Bridge and finalize arrangements. Too, we would meet with Colonel Carroll at Virginia Military Institute to get his cooperation to have Mish Pettyjohn (1) lead some of the cave trips on Natural Bridge property and vicinity and (2) lead a discussion on Virginia cave exploration. Also we wanted Colonel Carroll to lead a special forum on Biospeleology. (The colonel was very bitter with some of what had happened at the 1954 convention and had generated some ill feelings toward "Smokey.") With a little persuasion from Betty, however, the Colonel was very agreeable. One must bear in mind that at that time a cadet could not travel out of the city limits of Lexington without approval. Most importantly, the Colonel became a very good friend.

When I accepted the appointment as Chairman of the Convention, I was also Chairman of the D. C. Grotto and was in a position to solicit help from the grotto membership in handling registration, sales, and information desks. The Virginia Region provided the sergeant at arms. Bill Stephenson and M. Michael (Mish) Pettyjohn Jr. handled the field trips. With the assistance of Betty and Ackie Loyd, we were able to get the owners and

management personnel from such commercial caves as Bristol, Dixie, Endless, Grand, Luray, Massanutten, Melrose, Skyline, Shenandoah, and such wild cave owners as Mr. Armentrout, Mrs. Clark, and Bennett Gayle of the National Parks, to help. Bill Austin came from Floyd Collins Crystal Cave (KY) and Mr. Gordon Shoemaker, Manager, represented Natural Bridge. Philip M. Smith, who was the NSS Coordinator, led a session for commercial cave owners and operators. Later at that same meeting, the cave owners and operators elected Bill Austin to represent them on the NSS Board of Governors. . . .

Shortly after the convention opened, I found myself breaking out in hives. Joe Lawrence immediately came to my rescue and suggested to Marty that I get up to our suite and get some rest and sleep. My nerves were getting the best of me. Joe later explained that the same thing happened to him when he was leading the Floyd Collins Crystal Cave expedition in February of 1954.

The correspondence and telephone calls for those last three months were horrendous. I found myself working an average of six hours each evening and 12-14 hours on week-ends. There were those frequent calls from Smokey searching out the latest developments. Finally I let it slip out that the D. C. Grotto, along with some of the prominent members, were sponsoring a cocktail social hour before and after the banquet. This was enough to start him sputtering. After regaining his composure, he advised me of his total disapproval and stated that if I did not make a change he would relieve me as chairman of the convention, since he was "acting" president during Davies' absence. But all it took was a phone call to Betty Loyd, who in turn called Smokey and a short while later she called me back to say, "He's going to leave us alone!" Smokey called me back and asked if I had heard from the Waynesboro Bombshell. Needless to say, we no longer had any more interference or problems from Burton.

Meanwhile I was keeping track of the progress of the Coast Guard's icebreaker Atka activities in New Zealand, Australia, and the Antarctic continent, and its return voyage up the coast of South America. At first I feared it would be a tough-and-go situation whether Bill Davies would return in time for the convention activities. A week before the convention, we at the Weather Bureau's Polar Operations Project heard from its WB representative; then it became almost certain Bill would make the convention in time to preside at the annual business meeting.

A few hours before Charlie Mohr was to arrive, I drove over to Bears Den Cave to retrieve some salamanders. After getting the key to Charlie's reserved room, I asked Jack Stellmack to put the salamanders in Charlie's bathtub. Charlie was forever taking slides and photos of these and of bats. . . . At the 1955 convention the Photo Salon was the largest ever to that date. . . .

The first Virginia convention made history by being the first NSS convention to organize cave trips prior to and at the end of a convention. Since this was to be historic and the beginning for all other conventions, it was only natural to have the founding father of the NSS lead the pre-convention cave trips. . . . For those wishing to be on their own, information and directions were available to caves

Editor: To date there have been thirty-nine annual conventions held by the National Speleological Society. Cavers returned to Natural Bridge in April 1957 for their 14th gathering. The next Virginia convention was in June of 1963, at Mountain Lake, chaired by John Holsinger (now a professor of biology at Old Dominion University and a "charter" member of the Cave Commission); its 364 registrants made it the largest NSS convention to that date. It was eight years before cavers returned to Virginia, to brave a very wet week at VPI in Blacksburg in June 1971. The decision to hold the 1983 NSS convention in Elkins WV will provide an opportunity for cavers from all over the United States to visit again some of Virginia's significant caves.

within a 50-mile radius. For those who might be interested, evening trips were arranged. Caves in the area included Organ, Haines, Higgenbotham (WV), Poor Farm, Breathing, Clark's, Withero's, Marshall, Porter, Crossroads, Grapevine, and many others. . . .

On Friday, April 15, the registration desk opened. . . . This was the beginning of the convention activities. Next was the meeting of the election committee; then the opening of the photographic salon, and a general session began at 9:30 a.m., when I officially opened the convention, with welcoming remarks from Betty Loyd and greetings from Mr. Gordon Shoemaker, the manager then of Natural Bridge, Inc. Of special interest that first day was the showing of the movie, "The Spelunker," which was produced by William Hulstrunk, and starred Roger Brucker, Russ Gurnee, and others.

Activities on Saturday, April 16, ran from 9 AM through past midnight. The climax of the convention was the banquet served in superb smorgasbord style. Not a soul left the dining room hungry. Conventioneers rated it as better than any they had had at any previous convention. The banquet speaker was not

Justice William O. Douglas, as we had been led to believe by Burton Fuast, but Loren P. Woods, Curator of Fishes at the Chicago Natural History Museum, talking on the ecology and distribution of blind cave fishes. A "special feature" was Roger Brucker, who had won the high honors of "the tall stories" contest. Ah, yes! No way will I ever forget accidentally hearing Roy Davis [of Cumberland Caverns TN] play the organ in the dining room earlier that day. I then asked him, with the consent of Gordon Shoemaker, to play the organ and provide music as we were standing in line to fill our plates with food.

The convention provided something of interest for everyone and served its normal function of providing a medium to express progress on many phases of speleology. The Columbian Rope Company, Gerry Company, Levi Company, Kodak, etc. had their products on display. Many donated products from their exhibits as prizes for the various contests. Each registrant received a special first aid packet that had been donated by the various pharmaceutical companies.

The climax of the convention was a trip to Natural Bridge Illumination and Pageant for those who had registered for the convention and banquet. This was through the courtesy of Natural Bridge, Inc. Only five hours earlier we had been watching the movie, "In the Beginning," and now we were viewing the drama of creation, re-enacted under the Bridge. It was the depiction of the creation of the world, taken from the Book of Genesis. This soul-stirring pageant told the Biblical story of the dawn of the world in living colored lights, music, with a dramatic narrative.

Little did I know then that my assignment would be the beginning of a career in helping to build the National Speleological Society. It was also, very importantly, an opportunity to cement some great friendships. To this very day, whenever the opportunity presents itself to pass through Natural Bridge, I recall many fond memories of the NSS's first Virginia convention.