

one time for violations under the Indian Bureau's religious crimes code.

The general shock and disapproval of the Indians by the early missionaries caused them to hide their religion, and is the basis of the secrecy today.

Mr. Little indicated in his statement the fact that the Indians do not use this area as they claim they do, and that the whole tribe does not go up there, and I was one of the other people who was on that trip that he referred to.

Senator METCALF. How many of you were on that trip?

Mr. GUNTER. We had three civilians and two Forest Service people. There were five of us, altogether.

Senator METCALF. You and Mr. Little, and one other?

Mr. GUNTER. Yes, and a professional photographer.

Senator METCALF. I see.

Mr. GUNTER. And then the other two, to make up the full party of five were two Forest Service men.

Senator METCALF. And you went in with a permit from the tribe?

Mr. GUNTER. Yes, and I might say in this connection that inasmuch as I have been quite vocal about this issue for some 4 years, my name was not listed on the permit as an individual, and it wasn't necessary, because I have the feeling that had the Taos Indians known who was going, they might not have issued the permit to me, and I probably will never get another one. I will leave it to the attorney.

Senator METCALF. That was under false pretenses.

Mr. GUNTER. Anyway, the fact is that we were going there to seek facts, and we had indications over the past several years that the Indians themselves did desecrate the area the very way that they complain about outsiders doing, so we wanted to be the first people on the scene, to find out, and we did find out, and I believe the photographs that Mr. Little has submitted will bear out this proof.

Now, Mr. Schaab referred in his testimony to Vernon Bailey, and said that the trail to Pueblo Peak passed by Blue Lake. It doesn't go anywhere near it. Pueblo Peak is much closer to the Indian Pueblo than Blue Lake, and I would enter that to back up the testimony of Mr. Barker.

I do state that the area was full of trash. Wine bottles, whiskey bottles, were also found there. We did find a preponderance of olive bottles. I don't know what the olives have to do with it.

Senator METCALF. You didn't talk about gin or martinis.

Mr. GUNTER. I don't know the brand that they use. I am not familiar with that.

In conclusion, I would like to summarize the three main precedents that will be broken by this bill.

First, always Spanish land grants have taken precedence over Indian land claims. This principle was established by the King of Spain, and recognized by our treaties when we acquired the land from Spain.

About one-quarter of the land claimed by the Taos Pueblo was Spanish grant before being acquired by the Forest Service. The land-grant areas in conflict here definitely will set a reverse precedent.

Second, Indians have been paid for land in the past, but never given title to it. This is most serious, in view of the other Indian tribe claims all over the State of New Mexico and the United States.