Treasure

By JAMES P. STERBA Special to The New York Times

confusion and rumors remain cheap. lawyers get into a single treasure saga, only nor and F. Lee Bailey and dozens of other But when the Army; Air Force; the White House; Congressmen; New Mexico's Goverstories are a dime a dozen in the Southwest SANDS, N.M. - Lost treasure

vocabulary is marked by "double" as a pre-John W. Dean 3d to Geronimo and the mystery. The cast of characters ranges from Great White Sands Missile Range Lost Gold double-dealing. Treasure Affair has blossomed into a national lix—as in double-cross, After 35 years of localized dispute, the double-talk and

Gold Bars

Dozens of people claim a piece of the action—that is, gold bars and treasure said to be hidden on the missile range and worth from a few million dollars to \$1.5-billion. oothers of trying to cheat them out of it. four major groups of claimants accuse the

The Army, which controls the missile

stolen, are stealing, or are preparing to steal the treasure for themselves. led to charges that military officers have hunters from the range since 1963. This has never been any. It has banned insists there is no treasure and has treasure

and horse-mounted Army patrols to search. shells, yet almost weekly a few fevered Phantom jet target practice dot the range, treasure hunters sneak through helicopter purposely booby-trapped the area with the the Army insists. Claimants charge the Army Dangerous unexploded 20-mm. shells from

Army turned him down, saying he deserves no more favored treatment than some 300 others who ask each year for permission to a half an hour he can lead officials to 292 gold bars, for openers. But in August, the claimants, says that with a helicopter and Mr. Bailey, who represents 50 unidentified

enter the missile range to search. "I know, they all claim they can go right to it in two hours," said Bernert Ferdig, they can go right

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sword she says came from the hiding place of the right is her daughter, Mrs. Letha Guthrie. Mrs. Ova Noss, a claimant to the supposed treasure, shows a The New York Times/Gary Guisinger gold.

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more gold in my upper bridge than is in those mountains." far as I'm concerned, I've got at the White Sands base for 15 years. "I've heard that story at least 500 times, was in charge of real estate

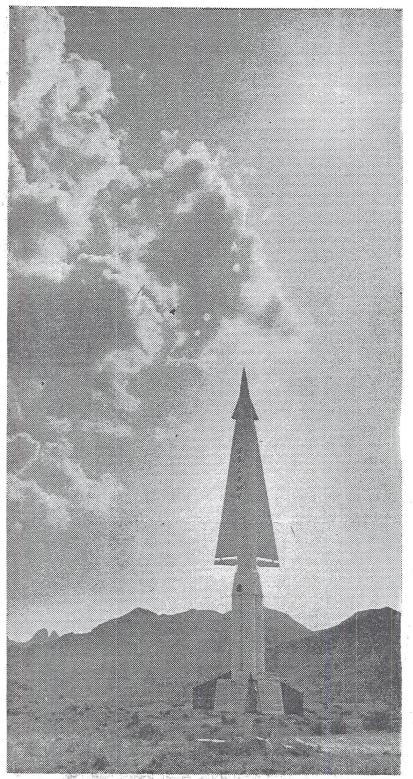
major stories on the treas-ure's origin, said Mr. Ferdig, adding, "The trouble with always a little truth in them." tains on missile range land about 25 miles northeast of Las Cruces. There are four treasure stories is that there's Victoria Peak, a 1,500-foot hill in the San Andres Moun-The center of interest

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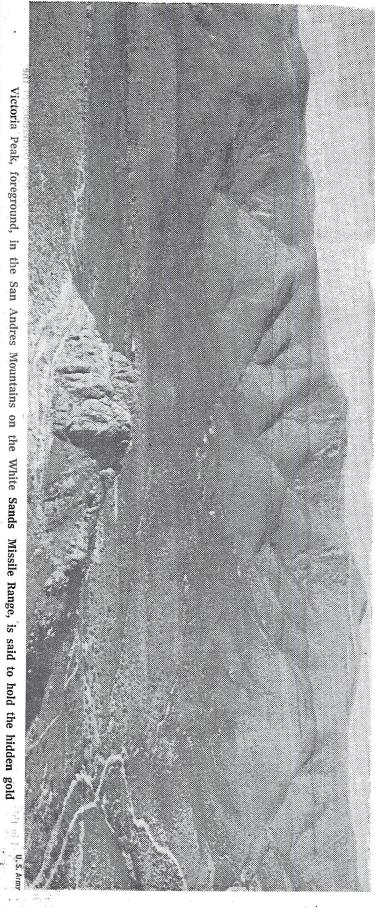
And a fourth story, pieced together recently by Howard Bryan, a reporter for The robbed the Montercy Mint in hid Apache booty in the area. tacked by Apaches, A third story asserts that Geronimo hid Anaches bottom in the control of the 1743 and were in turn sacred in a punitive raid concerns eighteen-hundreds. Spanish soldiers in the early mining families was Rue whose band of 40 gold missionary named Padre La-One story involves a Jesuit renegades Another maswho bу

ing Wells Fargo stagecoaches.
Things got complicated in 1937, when Milton E. Noss, a self-asserted chiropodist with Albuquerque Tribune, centers on another Apache war chief named Victorio. He bolted ing the countryside and raid-Victoria Peak while plundertion in 1879 and camped near from the Mescaicro reserva-

a string of arrests for drunk-



One of the missiles set up, with descriptive signs, at White Sands





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enness, theft and practicing medicine without a license, said he had found the treasure. He was shot to death in 1949, but his first wife, Mrs. Ova Noss, now 77 years old, insists she was with him.

"It was on Nov. 7, we had 11 families on a hunting trip and I was doing the cooking," she said in an interview at her daughter's home in Clovis, N. M.

Clovis, N. M.

She said her husband, called "Doc," had come back to the camp that night and secretly told her of lowering himself with ropes down a crevice on Victoria Peak into caverns laden with coins, jewelry, guns, swords, letters, 27 human skeletons, and hundreds of metal bars that turned out to be gold.

Three days later the Nosses went back, and in the months that followed, Noss hauled gold bars, one at a time, with

gold bars, one at a time, with enormous effort up the nar-

row passageway, according to Mrs. Noss's daughter, Mrs. Letha Guthrie of Clovis, who said she was also there part of the time.

After more than a year's effort, he took five bars to effort, he took five bars to the Denver Mint. Holes were drilled and it assayed at \$20.67 an ounce, said Mrs. Noss. But, she said, mint of-ficers confiscated the five bars and gave her husband a receipt for \$97,000.

'I'll Get Eleanor'

"Doc was trying to obey the law but they grabbed our gold," Mrs. Noss said, "He blew up. He said I'll get F.D.R., hell, I'll get Eleanor." Neither the Denver Mint nor the Federal records center in Denver, which has copies of gold receipts for that period, could find the Noss receipt, spokesmen there said.

Fearing a Federal swindle at the time, Noss returned to Victoria Peak, carrying out gold bars and hiding them, Mrs. Guthrie said. Then, in 1942 or 1943, she isn't sure, he tried to blast the tunnel higger in order to hall up. he tried to blast the tunnel bigger in order to haul up more gold bars at one time. He used too much dynamite, and the cave collapsed, sealing in the treasure.

"But before that happened, he must have hauled 500 or 600 bars of gold out of there and hid them," contended Mrs. Guthrie.

Mrs. Guthrie.

Some were sold on the black market, some were stolen but others remained hidden during the next seven years when Doc and a bevy

of partners attempted to dig back into the caverns, she asserted.
"You just couldn't trust

"You just couldn't trust anybody and still can't," she said. "And we were poor and I guess a little dumb. But even the nicest people we'd take in, they'd see gold and go berserk."

One partner, Charles Ryan, shot and killed Doc on March 5, 1949, in Hatch, N. M., after an argument. Acquitted on grounds of self-defense, Mr. Ryan testified that Doc had promised him 51 bars of gold in return for his \$27,000 investment vestment.

Meanwhile, Noss's mining claims (for talc as a disguise) expired in 1948, and Mrs. Noss renewed them in her name. Noss divorced her, charging desertion. Mrs. Noss now save she never heard now says she never heard about the divorce and asserts that she is his legal

widow.
Another woman, now Mrs.
Violet Yancy of Fort Worth,
says she married Noss in
1947, that she is his legal
widow, and that he gave her
76 per cent interest in the
treasure.

To further complicate things, rumors swirled about various factions smuggling some of the gold to Mexico in light planes. And on March 4, 1949, the day before Doc was shot, a small plane crashed near Victoria Peak killing the pilot and severely injuring Marvin Beckwith, son of the first Mrs. Noss. The family declines to discuss the incident now.

now. In 1955, the missile range was expanded and the Army closed Victoria Peak to out-siders. Mrs. Ova Noss said

she had filed papers retain-

she had filed papers retaining mineral rights in case the area opened up again.
In 1958, Leonard V. Fiege, then an Air Force captain stationed at nearby Holloman Air Force Base, and three other men, contended that while deer hunting they found a cave filled with gold. that while deer hunting they found a cave filled with gold bars. After three years they were given permission to go back to Victoria Peak and look, accompanied by the missile range commander, Maj. Gen. John G. Shinkle, military policemen and Treasurv agents. ury agents.

"We wanted to lay the matter to rest once and for all," said General Shinkle, who is now retired and lives in Cocoa Beach, Fla. "We gave him a lie detector test beforehand and it was apparently successful but he couldn't find anything."

In the meantime, Mrs. Noss said her "spies" illegally vis-ited the peak and found miliited the peak and found military men excavating it. She called her lawyer, Philip Koury, of Kansas City, who phoned General Shinkle. Mr. Koury asserted that the General first denied the search was on but admitted it later when sworn statements from the "spies" were produced.

Captain Fiege could not be

Captain Fiege could not be located.

In 1963, the Army consented to another search by a Denver mining company sponsored by the Museum of New Mexico. About \$250,000 was spent, core holes were drilled, seismic tests were taken, and nothing was found. But the matter would not rest.

Chester R. Johnson Jr., a museum archeologist at the time who wrote the official

report of the treasure's history, says the 1963 search was inconclusive because, for example, seismic geophones do not work well near the surface.

He also asserts that mili-tary security officers cen-sored out of his report all references to military searches for the treasure. Mr. Bryan, The Albuquerque Tribune writer, said he had gone through a chunk of Mr. Johnson's memorabilia recently and found both the censored and uncensored drafts of the report Mr. Fertin depied that

and uncensored drafts of the report. Mr. Fertig denied that the report had been censored. Mrs. Noss and Mrs. Guthrie, meanwhile, say that they had heard about the 1963 search and rushed to the base, arriving the day before it ended. They insisted they were photographed, finger printed, harassed and not al-

lowed to go near the search area.

"They were searching in the wrong place," Mrs. Noss said. "The Army put those fellows in there blind knowing they wouldn't find anything."

The saga faded back into obscurity until the Watergate hearings, when John Dean, the dismissed White House counsel, testified before the Ervin Committee that F. Lee Bailey had approached John N. Mitchell, then Attorney General, for help in retrieving 292 bars containing 60 per cent gold and 40 per cent copper from the White Sands range.

Sands range.

Mr. Mitchell is said to have forwarded the matter to the White House.

Mrs. Noss believes Mr. Bailey's clients to be mili-

tary officers and perhaps some of her husband's old partners. Mr. Bailey will not say, but Mrs. Noss and her dozen or so partners have filed a \$1-billion Federal Court suit charging that the Government, the Secretary of the Army, several military officers and 200 John Does were conspiring to bilk her out of the treasure.

Representative Harold Runnels, a Democrat whose district includes the White Sands range, has proposed a joint Federal-state search for the treasure. He carries in his wallet a photograph of gold bars and old coins next one group of claimants took the flashlight and provided the photo as evidence that they knew the location of the treasure.