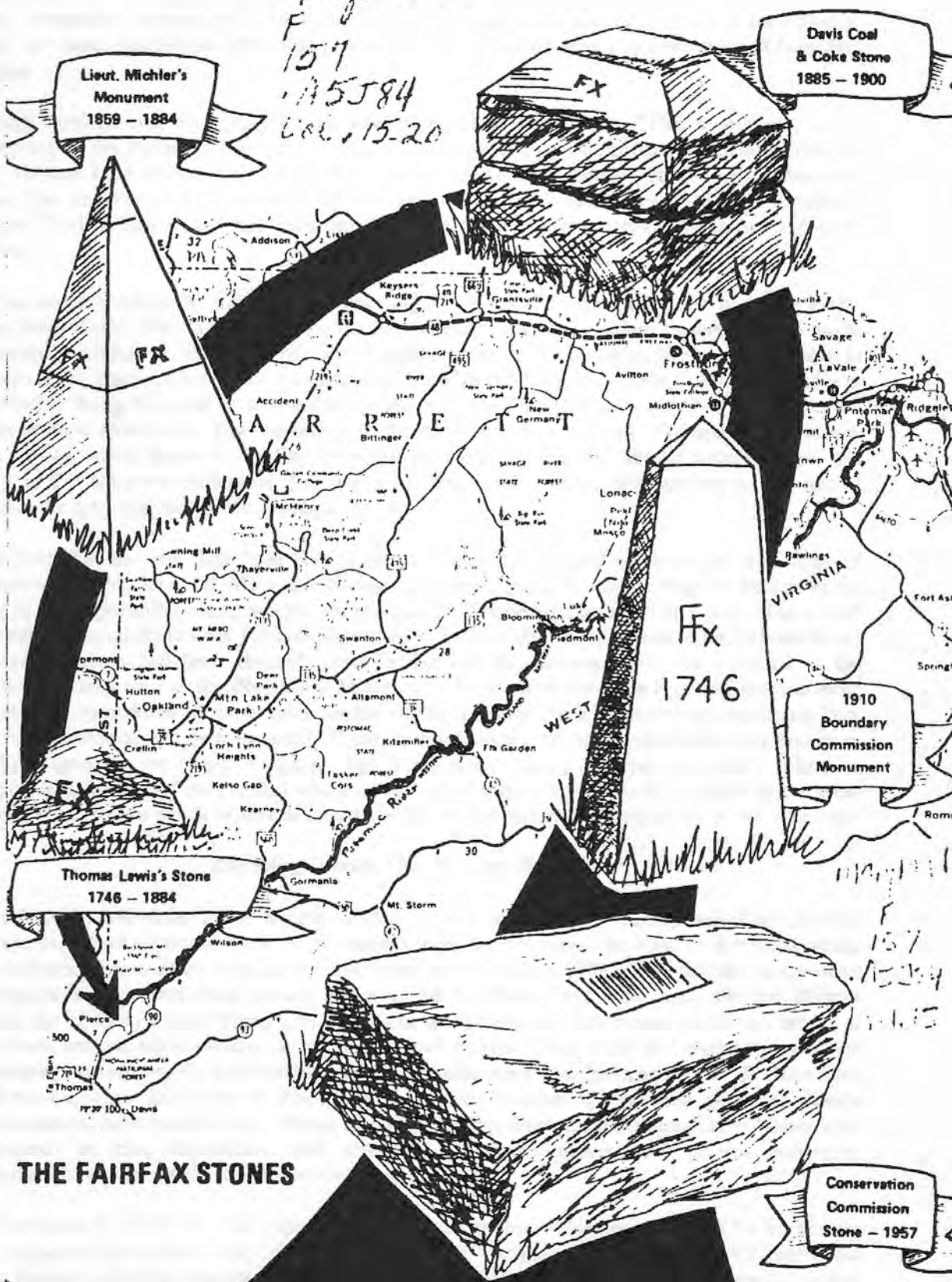


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### THE FAIRFAX STONES

Conservation  
Commission  
Stone - 1957

## The Fairfax Stone

BY CAROLYN BAUCOM COOK

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In a highland meadow near Thomas, West Virginia, lies the center of a 175-year controversy - the Fairfax Stone. The meadow, circled by woods and bordered by split rail fences, contains a small spring surrounded by protective rock walls. This quiet spring is the historical source of the Potomac River, the reason the Fairfax Stone was erected, and the origin of almost two centuries of boundary disputes.

A rough boulder over the spring has an inset metal plate which reads: "This monument, at the headspring of the Potomac River, marks one of the historic spots of America. Its name is derived from Thomas Lord Fairfax who owned all the land lying between the Potomac and Rappahannock Rivers. The first Fairfax Stone marked 'FX' was set in 1746 by Thomas Lewis, a surveyor employed by Lord Fairfax. This is the base point for the western dividing line between Maryland and West Virginia."

The location marked by the Far Stone was only vaguely described in the royal grants of vast domains in the New World. The "fountain spring of the Potomac" was never visited by anyone who might accurately establish its location when the English kings were making extensive land grants in America. Lord Fairfax's land grant was inherited from his mother's family, the Culpeppers, and was described as being bounded by and within the heads of the Rappahannock and the "Patawomecke" Rivers and the Chesapeake Bay. According to the maps then in use, it was a comparatively narrow neck of land which began at the Bay, extended westward between the almost parallel rivers, and ended in the unknown wilderness. Because of its shape and location with respect to the rest of Virginia, the tract was labeled the Northern Neck.<sup>1</sup>

Until 1745, Thomas, the sixth Lord Fairfax, was a resident of England and his main interest in his domain was strictly financial. Many speculating companies sprang up on the Virginia frontier in the [Page 3] mid-eighteenth century and the Northern Neck Proprietary proved to be a gold mine to land speculators - especially to Lord Fairfax's agents. After most of the desirable land in the Tidewater and Piedmont sections had been claimed, Lord Fairfax had to concentrate on the potential of the undeveloped land west of the Blue Ridge Mountains.<sup>2</sup> As the land along the Potomac became more desirable, the boundaries of the western reaches of the Northern Neck became more important. Very little of the Potomac had been explored. Above its confluence with the Shenandoah it was known as the Cohongoroota, or Upper Potomac, but it had never been surveyed accurately. Also, no competent authority had ever settled which of its several tributaries was to be regarded as the main branch of the river or which of several streams might be claimed as the headsprings of the Potomac.<sup>3</sup>

### The King Directs New Surveys Be Made

Around 1730, difficulties arose from conflicting grants made by the Crown and Lord Fairfax. Virginia, out of whose territory the Fairfax grant was made, petitioned the King to determine where the headsprings were. After a similar petition from Lord Fairfax in 1733 asking that the government of Virginia be restrained from making grants in the Northern Neck,<sup>4</sup> the King directed William Gooch, the Lt. Governor of Virginia, to appoint between three and five commissioners on behalf of the crown and an equal number to represent Lord Fairfax. They were to "ascertain, by actual examination and survey, the true fountains of the Rappahannock and Potomac Rivers." William Byrd of Westover, John Robinson of Piscataway, and John Grymes of Brandon were the King's commissioners; Lord Fairfax's were William Beverly, William Fairfax, and Charles Carter.<sup>5</sup> They were authorized "to take depositions, and affidavits, to search papers, and employ surveyors, chain-carriers, markers, and other necessary attendants."

On September 25, 1736, the joint commission convened in Fredericksburg to prepare for the survey. They organized two field parties, one for each river. The "Potomac" party consisted of 17 surveyors and assistants, under the direction of Major William Mayo and Captain Benjamin Winslow. Mayo had

been selected by the Crown commissioners as their chief engineer, and James Thomas the elder, by Lord Fairfax. For the field work and exploration of the Potomac, William Mayo and Robert Brooks represented the King, and Benjamin Winslow and John Savage represented Lord Fairfax.<sup>6</sup> Included also were a Mr. Ashby, the pilot and steward, and six chain carriers.

The surveying party started on October 12, 1736, and traveled by boat up the Potomac from the Shenandoah, now Harpers Ferry. The commissioners collected depositions from the early settlers on [Page 4] the rivers while the Mayo party began its tedious progress westward along the Potomac. The severe hardships encountered by the group were described by Commissioner William Byrd: "And here I think I ought to do justice not only to the uncommon Skill, but also to the courage and Indefatigable Industry of Major Mayo and two of the other Surveyors employ'd in this long and difficult task. Neither the unexpected Distance, nor the Danger of being doubly starved by Hunger and excessive Cold, could in the least discourage them from going thro' with Their work, tho' at one time they were almost reduced to the hard necessity of cutting up the most useless Person among them, Mr. Savage, in order to Support and save the lives of the rest. But Providence prevented that dreadful blow by an unexpected Supply another way, and so the Blind Surveyor escapt."<sup>7</sup> (Byrd was known as a master of polemical irony, and at least one historian has questioned if the "unexpected supply" walked on four legs or only two!)

On December 14, Mayo's party blazed trees at the location they judged to be the source of the Potomac. Ten years later Thomas Lewis wrote a description of the marks:

... a Spruce pine md(marked) RB. (Robert Brooke) BW.  
 (Benjamin Winslow) IF. (Joshua Fry) FF. 1736 a Beach  
 P.G. 1736 A Beach JS. & a Black a Beach W. MAYO two  
 Beaches & two Spruce pines marked with three notches  
 three way Each & one Large Spruce pine Blazed three  
 Ways. "<sup>8</sup>

The commissioners reported to King George II that the western boundary of Lord Fairfax's land should start at the "First spring of the south branch of the river Rappahannock, and that the said boundary be from thence drawn in a straight line northwest to the place in the Alleghany Mountains where that part of the Potomac River, which is now called Cahongoroota, first rises,"<sup>9</sup> The Mayo Party also mapped the Potomac, naming the branches (including the Savage River after the surveyor, John Savage). On his map, Mayo noted some "Indian old fields" and "stone cole". The Indian fields, former Shawnee settlements, were noted near what are now Oldtown, Cumberland, and Cresaptown, Maryland. The coal was shown between present day Kitzmiller, Maryland, and Barnum, West Virginia.<sup>10</sup>

After seeing Mayo's map and studying the record of "Virginia vs. Fairfax", a London counsel, Ferdinand John Paris, wrote the following to William Penn's heirs. (They were concerned about the possible effect that the Northern Neck litigation would have upon their own unchartered western territory.) "Lord Fairfax calls his territory what everybody else calls it, the Northern Neck, but it appears [Page 5] that under pretence of going to the first heads he claims neck & body also, and such a quantity as amounts to 5,200,000 acres."<sup>11</sup>

### Defining the Northern Neck

In 1745, the King's Privy Council decreed that the Northern Neck proprietary included all the lands between the two rivers lying east of a straight line from the headspring of the Potomac, as established by the 1736 survey, to the headspring of the Rappahannock, which was the source of the Conway River. To end the litigation, the King directed the appointment of commissioners to run and mark the boundary line. The commissioners chosen for the Crown were: Col. Joshua Fry, Col. Lunsford Lomax, and Major Peter Hedgeman. William Fairfax, Charles Carter, and William Beverly were reappointed on behalf of Lord Fairfax.<sup>12</sup> They began their journey on September 18, 1746. The group included surveyors under the direction of Thomas Lewis, Peter Jefferson (the father of Thomas Jefferson), and the necessary chain carriers and markers. Their traverse began at the headwaters of the Conway River (now located in the Shenandoah National Park) on a northwest bearing. Because

their original reading was too far north, they reached the North Branch of the Potomac near Dobbin, West Virginia; so their final survey for the 76.5 mile boundary line was made on the return trip.<sup>13</sup>

The land, now the West Virginia counties of Jefferson, Berkeley, Morgan, Hampshire, Grant, Mineral, and part of Tucker, were still unoccupied and wild in 1746. Thomas Lewis kept a detailed journal of the country they crossed, noting distances, describing unfamiliar country, and relating personal incidents about himself and his party of 40 men. The following account in Lewis's journal vividly depicts the remote, almost inaccessible terrain:

"This River was Calld Styx from the Dismal appearance of the place Being Sufficen to Strik terror in any human Creature ye Lorals Ivey & Spruce pine so Extremely thick in ye Swamp through Which this River Runs that one Cannot have the Least prospect Except they look upwards the Water of the River of Dark Brownish Cooler & its motion So Slow that it can hardly be Said to move its Depth about 4 feet the Bottom muddy & Banks high, which made it Extremely Difficult for us to pass the most of the horses when they attemp'd to asend the farthest Bank tumbling with their loads Back in the River."<sup>14</sup>

He went on to describe the laurel swamp in the Canaan Valley: [Page 6]



"The Swamp . . . is prodigiously full of Rocks & Cavities those Covered over with a very Luxuriant Kind of moss of a Considerable Depth . . . The Spruce pines of which there are great Plenty their roots Grow out from the trunk a Considerable hight above the Surface, Covered over & Joyned together . . . the Loral & Ivey as thick as they can well grow whose Branches growing of an Extraordinary length are So well Woven together that without Cutting away it would be Impossible to force through them provided they grew on agood Even Surface their Roots together with the pines are spread over the Rocks & under the moss like archs . . . in Such a place all Dangerous places Being Obscured under a Clock of moss . . . Our horses and often our Selves fell into Clefs & Cavitys without seeing the danger Before we felt the Effects of it. No ones missfortune Was of much Service to the others. for in Striving to Evade aSeen Dangerous or Bad place often fell into aworse."<sup>15</sup>

Later, on their equally difficult return journey, Lewis again wrote about the Canaan Valley: [Page 7]

"Never was any poor Creatures in Such a Condition as we were in nor Ever was a Criminal more glad By having made his Escape out of Prison as we were to Get Rid of those

Accursed Lorals Our misfortune would have Been Still Greater had we not got out this night from the Beginning or time We Entred the Swamp, I Did not see a plain Big Enough for a man to Lye on nor a horse to Stand. our Difficultys in this Swamp Are Raither to be Conceived of than Express'd if any place can be Said to be twice as bad as the Swamp at Styx & yet Possible for men to Struggle through This was the place our horses Sometimes tumbling in holes out (of) sight."<sup>16</sup>

Lewis and his group arrived at the headspring of the Potomac on October 22, 1746, and located the old marks that Mayo's surveying party had blazed on the trees 10 years before. On the following day they returned to the spring to mark the location themselves. On one side of a beech tree they carved "G.R." for King George, and on the reverse "FX" for Lord Fairfax. On a beech that Mayo had notched, the commissioners George William Fairfax and William Beverly cut "G.FX." and "W. BEVERLY 1746." Three other commissioners signed another beech: "FRY, lun. LOMAX, P. HEDGEMAN, 1746". A corner spruce was marked "PJ" by Peter Jefferson. Thomas Lewis carved his name and the date on the tree Mayo had signed. Other trees were marked by "R. BROOKE, Sur.", "JAMES LOYDE", "J. GENN", and "JOHN RAIN". Several trees were incised with initials. Along with the tree markings, they left a stone carved "FX".<sup>17</sup>

### The Original Fairfax Stone

The original Fairfax Stone was thus casually mentioned by Lewis as "a Stone by the corner pine marked FX". Another source reported that the commissioners themselves marked "FX" and a baron's coronet upon "a stone standing by the corner pine between the springs."<sup>18</sup> Lieutenant N. Michler described the stone as it appeared in 1859: . . . the Fairfax Stone stands on a spot encircled by several small streams flowing from springs about it. It consists of a rough piece of sandstone, indifferent and friable, planted to the depth of a few feet in the ground and rising a foot or more above the surface; shapeless in form, it would scarce attract the attention of the passer by. The finding of it was without difficulty, and its recognition and identification by the inscription 'FX', now almost obliterated by the corroding action of water and air."<sup>19</sup> This original Fairfax Stone was destroyed by vandals in December 1884 and later carried away.<sup>20</sup>

King George II confirmed both the 1736 and the 1746 boundaries [Page 8] within Virginia and implicitly established the Potomac River as the Virginia-Maryland boundary. This was, not contested by Maryland until 1753 when Frederick Calvert, the sixth Lord Baltimore, complained that the boundary had been fixed without his consent,<sup>21</sup> and that the Fairfax Stone had been erected without his knowledge. The province of Maryland had been granted by King Charles I to Cecilius Calvert, the second Lord Baltimore, in 1632. Like the grant of Lord Fairfax, it designated the "First Fountain of the Potomac" as its western terminus.

Lord Frederick's father, Charles, may have known about the Fairfax surveys, but he had been preoccupied with the long controversy with the Penns over the Maryland-Pennsylvania border. (Eventually, two and a half million acres were lost by Maryland on the northern border, and another two and a quarter million acres to Delaware.) Charles Lord Baltimore had contended that the Shenandoah was the main branch of the Potomac, thus hoping to push the Maryland-Virginia border farther south.<sup>22</sup>

### Thomas Cresap Hired for Survey

Before Frederick Lord Baltimore inherited Maryland in 1751, he had probably paid little attention to the colony (which he never did visit). After 1753 he, too, sought to move the Maryland-Virginia border farther south. He sought to establish the South Branch, or Wappotomaka, as the source of the first fountain of the Potomac. However, the southwestern corner of Maryland had already "in effect been established by reason of the Fairfax surveys".<sup>23</sup> At Lord Baltimore's request, Maryland's Governor Sharpe hired Thomas Cresap to survey both branches of the Potomac in 1753. By June 1754, Cresap had traced the boundaries of both and had produced an accurate map of their locations. He reported to Governor Sharpe that the South Branch was longer and ran farther North than the Cohongoroota, thus supporting Maryland's claim to the South Branch as the Maryland Virginia boundary. Virginia's claim to the North Branch boundary was based on the fact that it was

wider and deeper and had a greater volume of water than the South Branch, and that the South Branch was not in the same general direction of the rest of the Potomac.<sup>24</sup>

After the Revolutionary War, in 1787, Frederick Lord Baltimore employed Francis Deakins to survey his "Reserve" lands west of Fort Cumberland and to divide it into 50-acre military lots to be given as bounties to Continental Army veterans. Deakins was instructed not to go beyond "the supposed present boundaries of Maryland" and all of his 4,165 lots were laid off east of a line running due north from the Fairfax Stone to the Pennsylvania line. This became known as the Deakins Line and was significant in the determination of [Page 9] the final western boundary of Maryland.<sup>25</sup>

In 1859, Lieutenant N. Michler of the U.S. Topographical Engineers surveyed Maryland's western boundary in an attempt to settle the boundary dispute with Virginia. He used the Fairfax Stone as a marker for the beginning of a meridian line. In order not to disturb the stone, Michler built his first observatory immediately in the rear (south) of it. Michler's monument, the second Fairfax Stone, "was composed of four pieces of sandstone, built up to an apex, four and a half feet in height. The base stone was square and measured two and a half feet on each side. It was sunk to the level of the surface for a base. The other three stones formed the pyramid, two of which were two feet high, and the cap-stone six inches in height, all cut true and fitted together to form a pyramid. There was no date but on each side of the middle stone were carved the letters "FX."<sup>26</sup>

### Vandals Destroy Stones

Michler's line was ratified by Maryland as the State's western boundary in 1860. After the Civil War, West Virginia replaced Virginia in the boundary disputes with Maryland, and because Virginia had not ratified Michler's line, West Virginia never accepted it. Michler's monument was destroyed by vandals in 1884 along with the original 1746 Fairfax Stone.

A third Fairfax Stone was carved in 1885 by the Davis Coal and Coke Company of Thomas, West Virginia, to replace the vandalized stones. It consisted of "four squared stones, the top one beveled on each side and flattened at the apex, on which was placed a fifth stone, a small one for a cap-stone. On one of the beveled edges appeared the letters FX, on its opposite bevel was a coat of arms, possibly that of the Calvert family, the Lord Baltimores of Maryland. This marker was approximately eighteen inches square and twenty four inches high. Two of the stones forming the base were beneath the surface and they settled, giving the stone a leaning position. The cap-stone was used as a kind of 'post office' by visitors who would leave their name and addresses beneath it for any person interested in acquiring a correspondent."<sup>27</sup>

In 1884 the West Virginia Central and Pittsburgh Railway Company built a railroad which came within a half mile south east of the Fairfax Stone. They established a "Fairfax Station" there and tourists would walk from the station to see the stone. The Davis Coal and Coke Fairfax Stone was destroyed around 1900. Supposedly "a disgusted surveyor (probably from Maryland) . . . broke it to pieces with the hammer side of a pole-axe on a dare that he was afraid to do it."<sup>28</sup>

As an attempt at a final settlement of the boundary question, Maryland filed a bill against West Virginia before the U.S. Supreme [Page 10] Court in 1890. At that time, 40 square miles remained in dispute. In 1910 the Court decreed that Maryland's western boundary would follow the old Deakins Line. This decision was based on the long continued possession and usage of the land by the people of West Virginia. The Court also decreed that a Joint Boundary Commission was to be appointed to re-establish the Deakins Line - beginning at the Fairfax Stone.<sup>29</sup> The commissioners appointed were: W. McCulloh Brown for Maryland, Julius K. Monroe for West Virginia, and Samuel S. Gannett for United States.

On July 11, 1910, the commissioners met at Oakland, Maryland, with their surveying party which included a cook, two "rodmen", three "Axemen", and four "chainmen".<sup>30</sup> The old line had not been permanently marked so the commission erected 35 large monuments to indicate it. The monument they placed at the Fairfax Spring became the fourth "Fairfax Stone". Still standing, although chipped at the edges and worn on top, it is an obelisk cast in concrete with "1910" incised on the north side,

and "FFX" and "1746" on the south side.<sup>31</sup> The names of the 1910 Boundary Commissioners are said to be scratched in the concrete of its base,<sup>32</sup> but if so, are now obscured by grass. When the concrete marker was erected, all remaining traces of the previous stones were removed.

When the Conservation Commission became interested in preserving the site of the Fairfax Spring, the Western Maryland Railroad Company donated 4 surrounding acres to them. A six-ton boulder from the mountains near Davis, West Virginia, was hauled there and placed directly over the spring. A bronze plaque explaining the historic importance of the area was embedded in the boulder. On October 5, 1957, Queen Sylvia XXI of the Mountain State Forest Festival dedicated this fifth Fairfax Stone.<sup>33</sup> Thus, the concrete obelisk was joined by the stone marker; once again, two monuments - two Fairfax Stones - commemorate the historical (if not geographical) fountainhead of the Potomac River.

#### Footnotes:

\* Transcribed by ACB June 2, 2000. Original page breaks are indicated in square brackets e.g. "[Page 1]" indicates the end of the original first page. (UMCP Library call number: F157.A3J6)

<sup>1</sup> Stuart E. Brown, Jr - "The Virginia Baron", *Valleys of history*, 11 No. 2, Spring 1966), 6

<sup>2</sup> *ibid.*, 7

<sup>3</sup> Samuel Kercheval, *A history of the Valley of Virginia*, (Strasburg, Va., 1925), p. 161.

<sup>4</sup> Charles Ambler & Festus Summers, *West Virginia the Mountain State*, (Englewood Cliffs, N.J., 1940), p. 38.

<sup>5</sup> Kercheval, *Valley of Virginia* p. 168.

<sup>6</sup> Fairfax Harrison, "The Northern Neck Maps of 1737- 1747", *William & Mary College Quarterly*, IV No. 1, (Jan. 1924), 2.

<sup>7</sup> James W. Foster, "Maps of the First Survey of the Potomac River, 1736-1737", *William & Mary College Quarterly*, 18 No. 2, (April 1938), 153.

<sup>8</sup> John W. Wayland, *The Fairfax Line Thomas Lewis's Journal of 1746*, (New Market, Va., 1925), p. 40. [page 11]

<sup>9</sup> Kercheval, *Valley of Virginia*, p162.

<sup>10</sup> Foster, *Maps of the First Survey*, 155.

<sup>11</sup> Harrison Northern Neck Maps, 7.

<sup>12</sup> Kercheval *Valley of Virginia*, p 167.

<sup>13</sup> Alan H. Strahler, "Forests of the Fairfax Line", *annals of the Association of American Geographers* 62 No. 4, (Dec. 1972) 666.

<sup>14</sup> Wayland, *Fairfax Line*, pp 29-30.

<sup>15</sup> *ibid* pp 31-32.

<sup>16</sup> *ibid.* p. 46.

<sup>17</sup> *ibid.* p. 41.

<sup>18</sup> Harrison, *Northern Neck Maps*, 9.

<sup>19</sup> *Geological Survey Bulletin* 817, (Washington, D.C. 1932), p. 141.

<sup>20</sup> *Glades .Star*, 2 No. 13, (June 30, 1953), 196.

<sup>21</sup> Charles Morrison, *The Western Boundary of Maryland*, (Parsons, W. Va. 1976), p. 7.

<sup>22</sup> *ibid.*, pp 7-8.

<sup>23</sup> *ibid.*, p. 8.

<sup>24</sup> Will H. Lowdermilk, *History of Cumberland*, (Baltimore, Md., 1971), p. 24.

<sup>25</sup> Morrison, *Western Boundary*, p. 11.

<sup>26</sup> Homer Floyd Fansler, *History of Tucker County, W. Va.* (Parsons, W. Va. 1962), pp 85-86.

<sup>27</sup> *ibid* , pp 86-87

<sup>28</sup> *ibid.*, p 87.

<sup>29</sup> Morrison, *It Western Boundary* p. 21.

<sup>30</sup> *ibid.*, p. 74.

<sup>31</sup> *ibid.*, p. 36.

<sup>32</sup> Fansler, *Tucker County*. p. 87.

<sup>33</sup> *Ibid.* p. 88