Form 10-300 (July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES

Tucker, Preston

West Virginia

			ION FORM	L	FOR NPS US	E ONLY]
	(Type all entries	- complete app	licable sections	,	FEB 23 9/2	DATE	-
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	West Virgi	nia	47	Tucker		093]
3. CLASSII	***************************************	T			T	I	4
	CATEGORY (Check One)		OWNERSHIP		STATUS	ACCESSIBLE TO THE PUBLIC	
D:-4		X Public	Public Acquisition			Yes:	-
Dist	rict Building	Private	In Proces		Occupied V Unoccupied	Restricted	
	☐ Object	☐ Both	☐ Being Co		Preservation work	☑ Unrestricted	
					in progress	□ No	
PRESEN	T USE (Check One or M	lore as Appropriate)	 				1
☐ Agr	icultural G	overnment 🔀	Park		Transportation	☐ Comments	1
☐ Com	mercial In	dustrial	Private Residenc	e [Other (Specify)		
	<u> </u>	litary	Religious				
Ent	ertainment 🔲 Mu	useum [Scientific				
4. OWNER	OF PROPERTY						
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			(Check One)		
CONDITION	Excellent X Good	l 🗌 Fair	Deteriorated	Ruins	Unexposed
CONDITION	(Check	One)		(Che	eck One)
	X Altered	Unaltered	1	☐ Moved	Original Site

DESCRIBE THE PRESENT AND ORIGINAL (if known) PHYSICAL APPEARANCI

First Fairfax Stone:

The first Fairfax Stone was planted by Lewis & Jefferson at the head spring of the North Branch of the Potomac River in September, 1746.

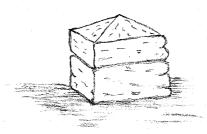
In 1859, Lieutenant Michler, making a survey on behalf of the boundary commissioner of Maryland and Virginia, had this to report:

The initial point of the work, the oft-mentioned, oft-spoken of 'Fairfax stone,' stands on a spot encircled by several small streams flowing from the springs about it. It consists of a rough piece of sandstone, indifferent and friable, planted to a depth of a few feet in the ground, and raising a foot or more above the surface. Shapeless in form, it would scarcely attract the attention of the passer-by. The finding of it was without difficulty, and its recognition and identification by the inscription 'Ffx,' now almost obliterated by the corroding action of water and air. 1

A Supreme Court report of 1911 notes that "the original Fairfax stone was in existence until about the year 1883, when it was destroyed by vandals and subsequently carried away..."²

Second Fairfax Stone:

Lieutenant Michler, reporting on his 1859 survey, wrote: "In order not to disturb this stone (First Fairfax) the first observatory was built immediately in the rear (south) of it." "Here, later," the Court notes, Michler built his monument, which was about 4 feet in height and made of several hewn stones, the upper ones being conical." An artist in the resploy of The Division of Parks has made rendering similar to the following, backing upon an 1881 photograph of what appears to be the Michler stone.



In 1910 the Court reports that all but the base of the Michler monument was removed by surveyors.

Third Fairfax Stone:

Vandals are said to have destroyed the Michler stone in 1884, and the following year The Davis Coke and Coal Company is said to have erected a marker. We do not know what became of it.

^{1.} Supreme Court of the U. S. (217 U.S.54), October term, 1909, p. 652.

^{2.} Supreme Court of the U. S. (225 U.S. 56), 1911, p. 960.

^{3.} Both of the preceding quotes are taken from the above source, p. 960.

SIGNIFICANCE			
PERIOD (Check One or More as	Appropriate)		
Pre-Columbian	16th Century	K 18th Century K 20th Century	
☐ 15th Century	17th Century	[19th Century	
SPECIFIC DATE(S) (If Applicab	te and Known) 1688 t	o 1912	
AREAS OF SIGNIFICANCE (Che	eck One or More as Appropriate	e)	
Abor iginal	☐ Education	X Political Trough Planning	
☐ Prehistoric	Engineering	Religion/Phi-	<i>M</i>
☐ Historic	☐ Industry	losophy	
☐ Agriculture	Invention	Science Management	
☐ Architecture	Landscape	☐ Sculpture	
☐ Art	Architecture	Social/Human-	
☐ Commerce	Literature	itarian Day Mb	
☐ Communications	Militory	☐ Theater	
☐ Conservation	Music	☐ Transportation	<u>/</u>
STATEMENT OF SIGNIFICANCE		1,6,7	

There have been live Fairfax stones, all located nearly exactly at the same place and utilized in the determination of the western extension of the Fairfax grant, the North-South boundary line between Virginia (West Virginia) and Maryland, and the positioning of Preston, Grant, and Tucker counties in West Virginia and Garrett County in Maryland.

These stones reflect a history going back to the King of England's land grant of 1632 to Lord Baltimore, extending westward to the headwaters of the Potomac, and a grant south of this by Charles II to Lord Thomas Culpeper in 1688, of land between the Potomac and Rappahannock, terminating to the West at a North-South line to be drawn connecting what by common consent were the "first fountains" or sources of these two rivers, Fig. 1.

The happy final reconciliation of these two poorly defined grants was achieved with the Fairfax Stone as the chief point of reference as late as 1912, after two centuries of complicated contentions, disputes, and surveys almost unparalleled in American history.

For the sake of clarity, it should be stated at this point that the Fairfax Stone is not at the Maryland-West Virginia corner, but determines the corner 3,983 feet to the North, where the N-S line intersects the Potomac, Fig. 2.

The land first historically related to the Fairfax Stone was the 2,450 square miles constituting the "Northern Neck" of Virginia granted to Culpeper and inherited by the Sixth Lord Fairfax in ree simple in 1/19.
Surveyors representing the Fairfax claims and the colony of Virginia in 1746 determined the straight line, to become known as the "Fairfax Line, uniting the headwater of the Rappahannock on a branch of the subsidiary Conway River, and the fountainhead of the Potomac a few miles north of Blackwater Falls. Participating in this survey terminating at the Fairfax Stone was Peter Jefferson, map maker and father of Thomas Jefferson. Two years later George Washington began at 16 his survey on Fairfax lands and his self-education in the Fairfax library.

Lord Fairfax had planned to build up a feudal estate in America, virtually a colony all his own. When he came to make his home at Greenway Court near Winchester in 1748, however, the choice Tidewater and Piedmont lands had already been settled, but there was still opportunity of developing ten of the present-day counties of Virginia and West Virginia, three of them in the mountainous western section of the tract. (continued)

Forfiney, Harold B. Maryland-West Virginia University, 1937.) Printed in West Virginia History, vol. 19, October, 1957, p. 1; January, 1958, p. 101; April, 1958, p. 157. Lewis, Thomas. The Fairfax Line; Thomas Lewis's Journal of 1746. New Market, Va., 1925. Lynn Perry, "The Maryland-West Virginia Boundary; a Controversy Extending Through Three Centuries and Involving the History of Three States," Civil Engineering, vol. 4, June, 1934, p. 296. William C. Blizzard, "Fairfax Stone," Gazetta-Mail State Magazine, Nov. 20, 1960, p. 1. To Gedoraphical Data Latitude And Lowering Coordonaates Entitude And Lowering Coordonaates West Virginia Entit Coordonaates West Virginia Entitle Coordonaates Coordonaates Entitle Coordonaates West Virginia Entitle Coordonaates Entit Coordonaates Entitle Coordonaates West Virginia Entitle Coordonaates Entitle Control Coordonaates Coordonaates West Virginia Entitle Coordonaates Entitle Coordonaates West Virginia Entit Coordonaates West Virginia Entitle Coordonaates West Virginia Entitle Coordonaates West Virginia Entitle Coordonaates West Virginia Entitle Coordonaates West Virginia Entit Coordonaates Entit Coordonaates West Virginia Entit Coordonaates West Virginia Entit Coordonaates West Virginia Entit Coordonaates Entit		BIBLIOGRAPHICAL RI				
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Form 10-300a (July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY - NOMINATION FORM

STATE	
West Virginia	
COUNTY	
Tucker	
FOR NPS USE ONLY	1
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(Number all entries) 7. Description - con't.

Fourth Fairfax Stone

The surroundings were thus described by surveyors in 1910:
The stone is easily reached by a trail from Fairfax station, which is ½ mile to the southeast. The large timber all around has been cut by mill men and fire has destroyed the balance, so that the immediate spot is now largely covered by brush and briers. 1

On August 12, 1910, during the present work, a new concrete monument was built, replacing both the previous marks. The new monument stands 2 feet north of the center of the base of the Michler monument, which point was marked by a brass bolt bedded level with surface of the ground. This rock and mark are still left in place, but are not visible, and the mark is 1 foot north of the point where original stone stood.²

The base is of concrete, $3\frac{1}{2}$ feet square and 2 feet deep, set flush with the surface of ground. On this base the monument was built, utilizing the form which had been designed for, and was afterwards used in the construction of the monuments along the Potomac river to the Pennsylvania line. The monument is 22 inches square at the base and 10 inches square at the top, the latter being built up a few inches and rounded off. The total height being 4 feet and 4 inches above the base. The monument contains $3\frac{1}{2}$ bags of best Portland cement and $6\frac{1}{2}$ bags of white sand. It is marked as follows: On south face $17\frac{1}{4}6$ north face 1910. The corners are beveled $1\frac{1}{2}$ inches in width.

The 1910 concrete marker still stands only a few feet west of the only spring left in the immediate area (cf. accompanying photo). Trophy hunters and/or marksmen have chipped away at its surface, but the Fairfax colophon still remains.

Fifth Fairfax Stone

In 1957 the then existing West Virginia Conservation Commission placed a flat, six-ton sandstone immediately above the spring bearing a plaque with the following inscription.

This monument at the head spring 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.

Supreme Court of the U.S. (225 U.S. 56), p. 960.

^{2.} Ibid., p. 960.

^{3. &}lt;u>Ibid.</u>, p. 960.

Form 10-300a (Dec. 1968)

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY - NOMINATION FORM

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(Number all entries) 8. Significance Fairfax Stone, cont'd.

Lord Baltimore did not accept the Fairfax Stone as representing the headwaters of the Potomac; consequently he could not accept the Fairfax line as definitive of the western boundary of the Fairfax Tract. Furthermore, he objected that the Fairfax Stone had been placed without his knowledge and consent. The Maryland Governor convinced Lord Baltimore that the South Branch of the Potomac should be considered the fountainhead of the Potomac and determinant of Maryland's southwestern boundary. This would have given Maryland more southern property but less western land and would have greatly altered the configuration of the two colonies. Lord Fairfax agreed to the readjustment, believing it advantageous to him, but the intervening Revolutionary War delayed settlement of this question. Maryland gradually abandoned the idea of the South Branch as the definitive origin of the Potomac.

The dispute about the Fairfax line was mild compared to the controversy over the line drawn from the Fairfax Stone north to Pennsylvania, forming part of the boundary between what is now Maryland and West Virginia. Involved here were faulty surveys; disagreement about whether to start with the Fairfax Stone or the "Brown Monument" erected in 1897 at Potomac Spring about a mile northwest of the Fairfax Stone; and squatters' rights and early patents versus the claims of Revolutionary War soldiers receiving land in recompense for military service. Altercations among confused settlers became frequent.

At least four meridians competed for the honor of being the North-South boundary, three of them beginning with the Fairfax Stone. The first survey was made in 1787 by Deakins for Maryland. Although Maryland had not committed herself to the Fairfax Stone, Deakins nevertheless started his meridian from here, using inadequate surveying instruments and ending up at the Pennsy-lvania border three-quarters of a mile east of the true meridian.

In 1859 Maryland and Virginia actually collaborated in commissioning Lieutenant Michler of the United States Corps of Engineers, who ran a correct line to the Pennsylvania border but warned that making it the official line would result in great litigation. Virginia's agreement with this opinion and the intervention of the Civil War made the line null and void. In the meantime, West Virginia replaced Virginia as the partner to any disputes with Maryland. In 1891 Maryland filed a suit in equity in the United States Supreme Court charging that West Virginia was exercising jurisdiction over land not betanning to her. This suit was not settled for 21 years. Meantime, Maryland preferment of the Brown Monument over the Fairfax Stone further complicated affairs. West Virginia countered with a resurvey of the Deakins one slightly deviant result is known as the "Fairfax Meridian." This limit marked by 34 monuments, was accepted by the United States Supreme Court.

Two other boundary settlements derived from the same decision. The low wants mark on the south side of the Potomac was to constitute the common porthern boundary between Maryland and West Virginia, and the beginning point of the north-south boundary line was to be located where the Fairfax meridian intersected the northern boundary. While this was not precisely where the cont'd.

Form 10-300a (July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY - NOMINATION FORM

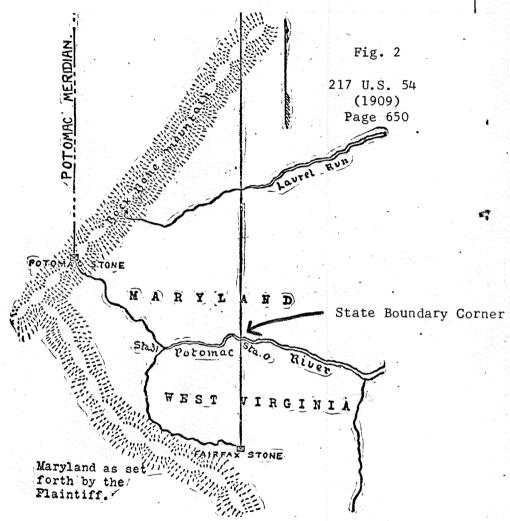
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8. Significance - Fairfax Stone, cont'd.

Fairfax Stone was located, the stone nevertheless still determined the State corner, even though the Fairfax Stone is now located wholly in Tucker County, West Virginia.





Form 10-300a (July 1969)

UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES INVENTORY - NOMINATION FORM

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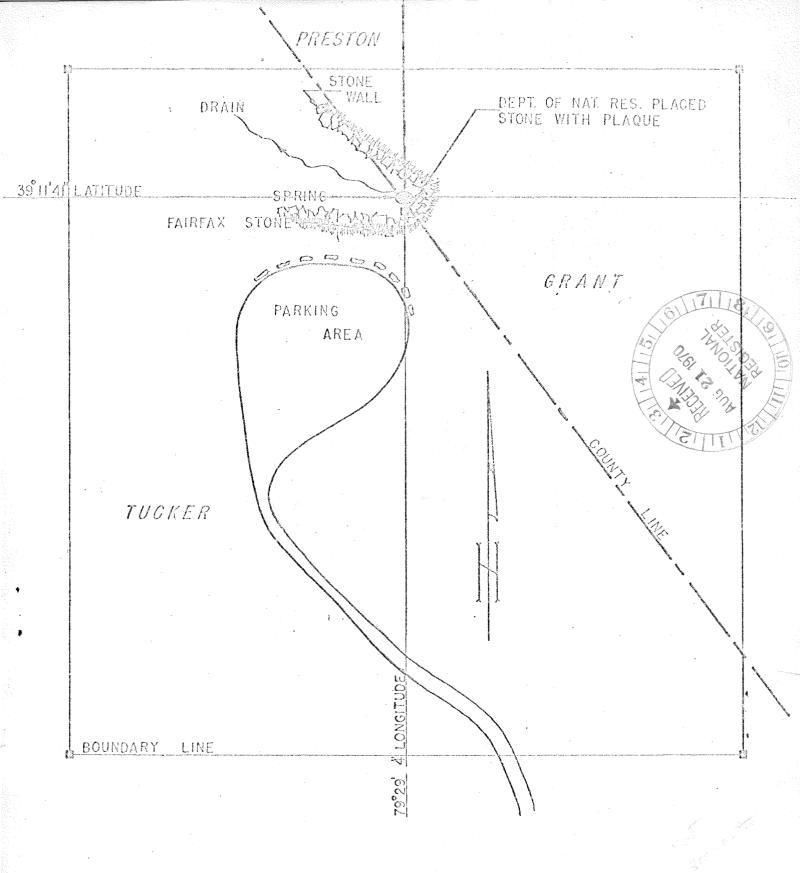
The Decisions of the Supreme Court of the United States at October Term, 1909. (217 U.S. 54, pp. 645-660.)

Ibid., 1911. (225 U.S. 56, pp. 955-968).

Cases Argued and Decided in the Supreme Court of the United States, October Terms, 1909, 1910. (217 U.S. 54.)

Stuart E. Brown, Jr., "The Virginia Baron," <u>Valleys of History</u>, Spring, 1966. Published by Potomac Edison, Hagerstown, Md.





FAIRFAX STONE HISTORICAL MONUMENT
TUCKER COUNTY

W. Va. DEPARTMENT OF NATURAL RESOURCES . DIVISION OF PARKS $\not\subset$ RECREATION