



2026

SURVEYORS'
Conference

The Fairfax Stone and The Deakins Line

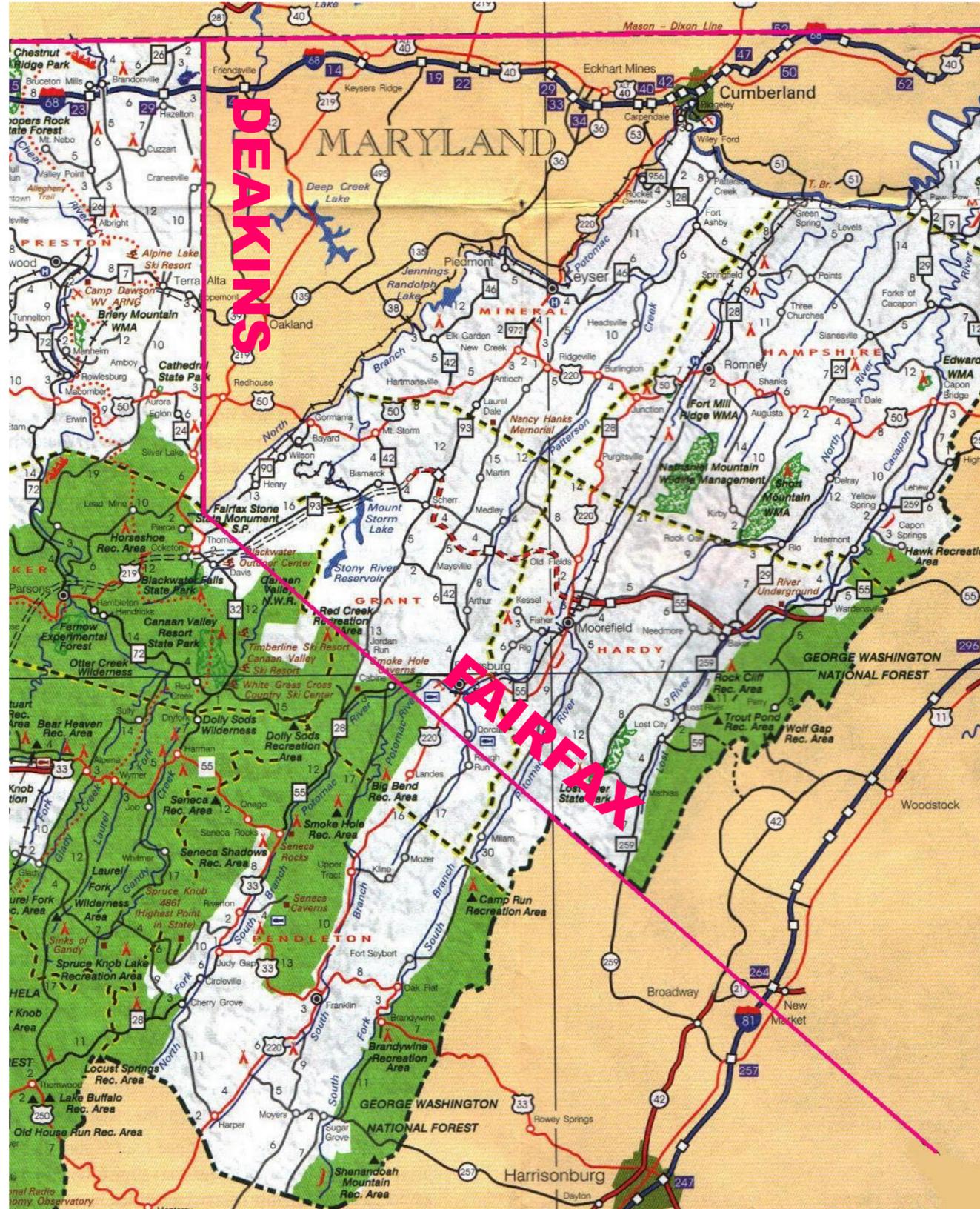
Don Teter, PS

JANUARY 11-14, 2026 | HERSHEY, PA

The Fairfax Stone and the Deakins Line –
How West Virginia Put a Whuppin' on Maryland
1.5 pdh



MASON-DIXON



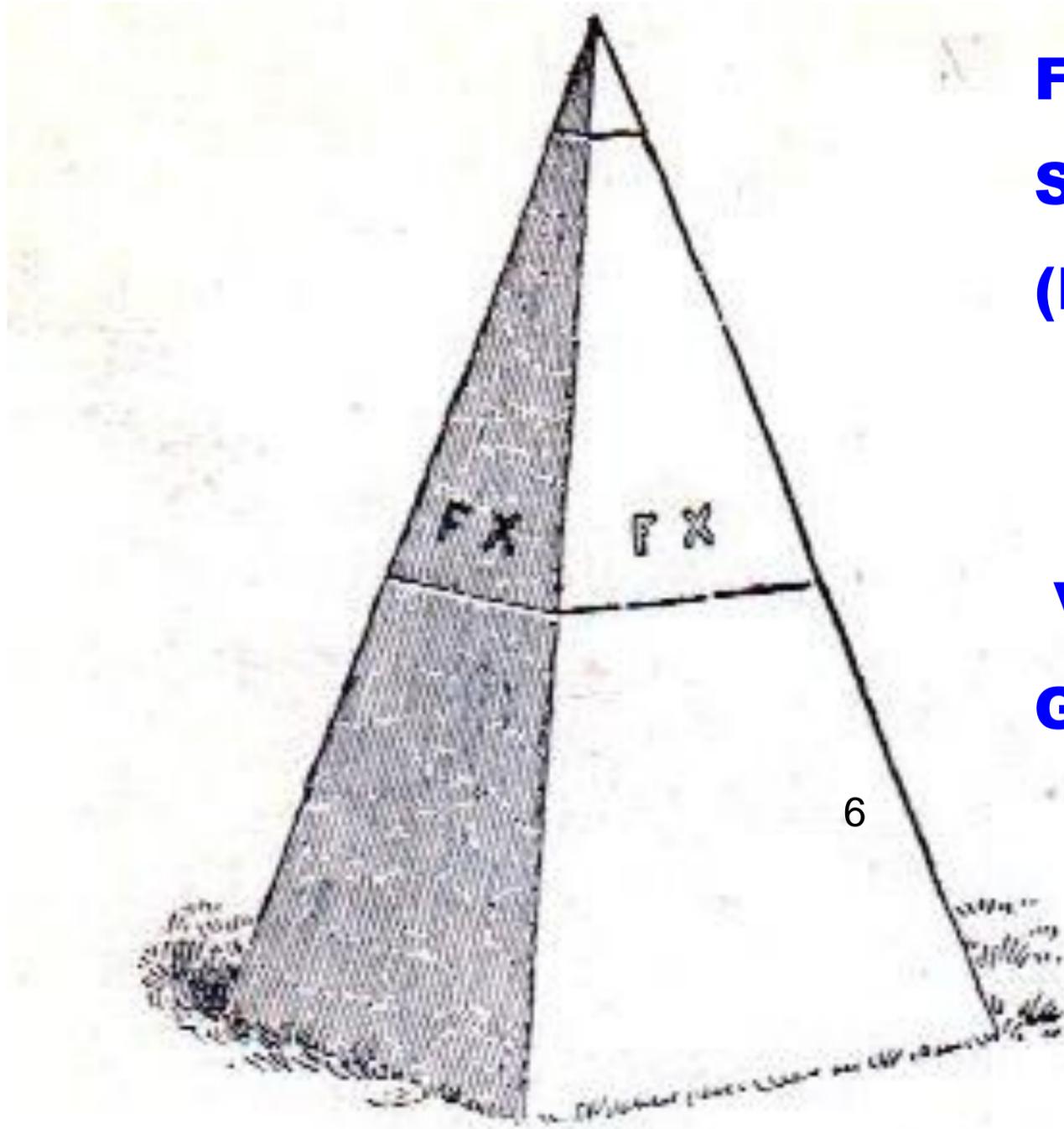
... (Triptolemus Todd's) mind has been, somehow or other, impressed with an extraordinary idea of the wonderful and amazing in regard to the Fairfax stone, and he is now looking away off up the dale, as far as possible, to see if he can't discover it. He has a confused idea in his mind that this Fairfax stone is the biggest thing of its sort in the state of Virginia; but he has no definite idea about it: it may be like the rock of Gibraltar, or the rock of ages; it may be a basaltic pillar, like Lot's wife, or it may be a great, huge tablet, upon which some boundary hieroglyphics have been carved. Of course, therefore, he has no very definite idea of the sort of thing he's looking for. Just at this moment something vague looms up before his intent gaze into the distance, and his face is all ablaze with excitement as he exclaims, stretching his long, sinewy arm far before him, with his fingers spread out, and all pointing different ways - "Fellows, yonder's Fairfax's stone!"

-- Philip Pendleton Kennedy, *The Blackwater Chronicle*, 1853 --

FAIRFAX STONE HISTORICAL MONUMENT

ORIGINALLY MARKED IN 1746, THE FAIRFAX STONE ESTABLISHED THE WESTERN BOUNDARY OF LAND GRANTED TO LORD FAIRFAX BY KING CHARLES II OF ENGLAND FOR HIS SUPPORT WHILE THE KING WAS IN EXILE. SOME HISTORIANS BELIEVE THAT THE MARKER WAS SET BY A YOUTHFUL GEORGE WASHINGTON. THE SITE IS THE HEADSPRING OF THE NORTH BRANCH OF THE POTOMAC RIVER. THIS HISTORIC SPOT MARKS THE MEETING PLACE OF PRESTON, GRANT & TUCKER COUNTIES AND THE WEST VIRGINIA- MARYLAND BORDER.

THIS STATE PARK IS OPERATED AND MAINTAINED BY:
THE PARKS & RECREATION SECTION OF THE DIVISION OF
NATURAL RESOURCES.



**Fairfax Stone Monument
Set by Lt. Michler in 1859;
(History of Tucker County,
Homer Fansler, 1962)
Apparently from
Virgil Lewis, History and
Government of W.Va., 1896**

Fairfax Stone
1903



FA AX STO
T 4 1903

West Virginia & Regional History Collection



The Fairfax Stone, c. 1957

Victor L. Haines, WV & Regional History Collection



**10/5/1957, Dedication Ceremony, Mrs. Georgia Harper of Randolph County
Historical Society presents wreath to be placed by Miss Kemper.**

Photo Gift of Kermit McKeever, WV Conservation Commission, WV & Reg. Hist. Coll.



**Mr. D.D. Brown and Elizabeth Carol Kemper,
Forest Festival Queen**

Kermit McKeever, WV & Regional History Collection



Harold Fortney speaking

Kermit McKeever, WV & Regional History Collection



**Fairfax Stone
1974**



**WV Surveyors Historical Society, August 2011,
at 1910 Fairfax Monument**

Maryland Wanted the Potomac Stone

It Got the Fairfax Stone;

Maryland Wanted a Straight Line on a True Meridian

It Got a Series of Magnetic Lines, With Offsets

Maryland Wanted and Got the Potomac River to the Low Water Mark

Which it Already Had.

PA

Mason-Dixon Line

NOT TO SCALE

WV

36
miles

1897
Potomac Meridian

5975'

1859
Michler Line

1462'

DEAKINS LINE
1788

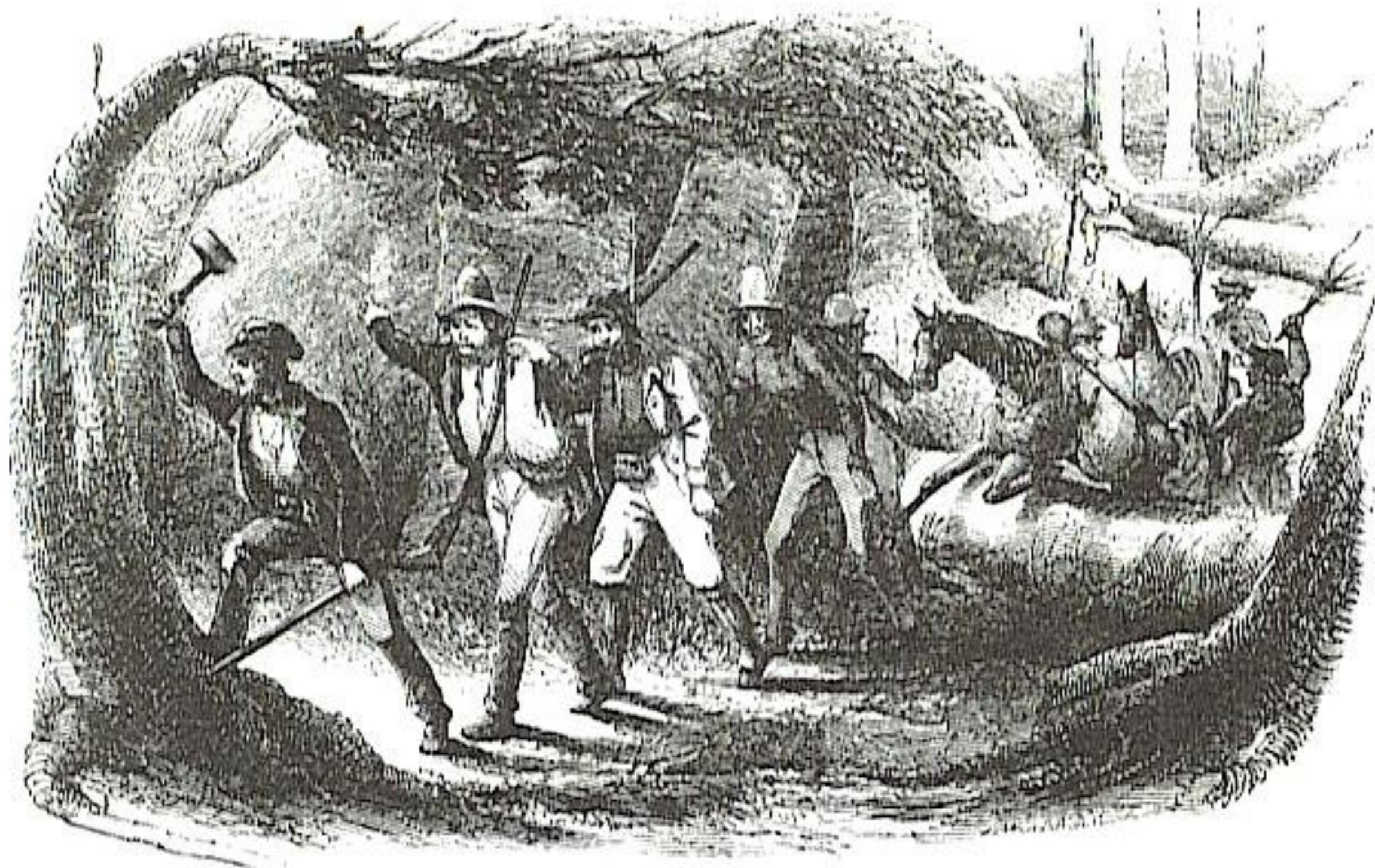
MD

Potomac Stone
1897

Fairfax Stone
1746

The Surveys

Rough Country



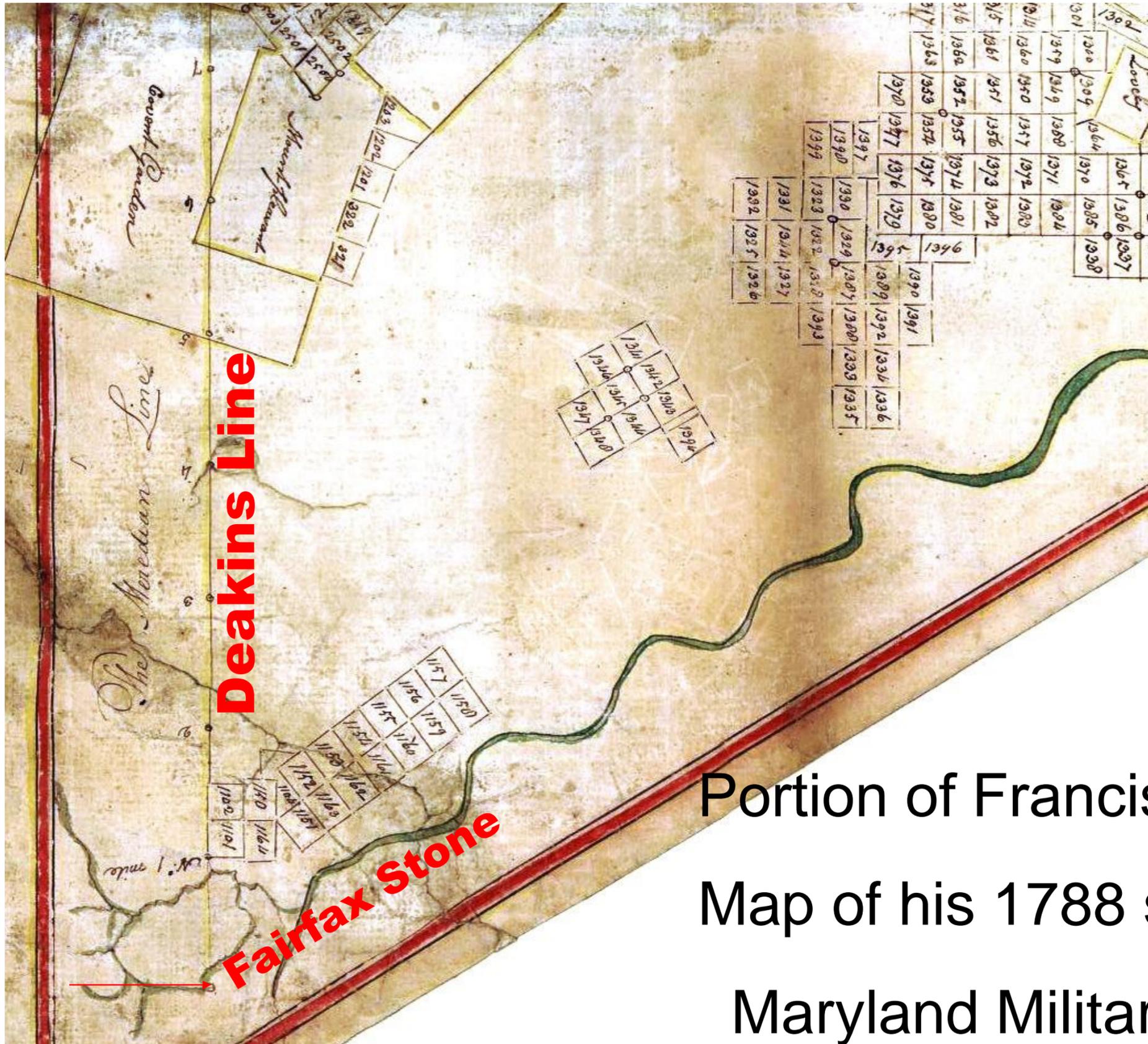
Surveying the territory for Maryland in 1897

“The country ... was ... almost a perfect wilderness, and it was a matter of not infrequent occurrence for those engaged upon the work, to see evidence of the presence of deer, bear and other animals which have their home in a region of virgin forest, wild, unbroken and uninhabited.”

The Deakins Line

**Colonel Francis Deakins laid out the western line
of the westernmost Military Lots in 1788.**

**The Maryland General Assembly specifically repudiated the Deakins Line
as being the state's westernmost boundary in 1788,
and never changed its mind.**



Portion of Francis Deakins' Map of his 1788 survey of Maryland Military Lots

Settlement Attempts

Without Success

In 1824, Commissioners Met

**Maryland offered to concede the South Branch issue;
But wanted to hold a more westerly head spring.**

Virginia insisted on holding the Fairfax Stone.

**Negotiation failed and Maryland noted:
*“The spirit of amity and concession ... had been met at every step
by obstinate adherence on the part of Virginia
to the full extent of her pretended claims”***

Maryland Act in 1852

Virginia in 1858

Maryland accepted the Fairfax Stone, Angus McDonald Commissioner for Virginia and Thomas J. Lee, Commissioner for Maryland, on August 18, 1858, applied to Secretary of War for a qualified officer of the U.S. Engineers to run the meridian from the Fairfax Stone. Lt. Nathaniel Michler of the U.S.

Topographical Engineers was assigned the duty.

The commissioners and Michler went to the Fairfax Stone on September 19, 1858.

It was “*easily recognized*”

Michler ran the line from June through December, 1859.

In 1860 Maryland accepted Michler’s line, and marked it between Michler’s control points, but Virginia never acted.

**Michler reported that his line struck the Mason-Dixon line about $\frac{3}{4}$ mile westward
of the “Deakins Line” which had been**

“generally adopted by the inhabitants as the boundary line”

**Michler warned that use of the line he had run would
*“cause great litigation, as the patents of the lands call for the boundary as their limits.”***

**In 1887, West Virginia adopted legislation accepting the Michler Line,
provided that Maryland**

***“shall pass an Act ... confirming and rendering valid all entries, grants, patents and
titles from the Commonwealth of Virginia ... to lands situate and lying between the
new Maryland line hereby established, and the old Maryland line heretofore claimed
by Virginia and West Virginia”***

The Bauer & Brown Survey For Maryland

Twin True
Meridians

**Bauer's Astronomic Surveys, August 16-October 16, 1897,
Dr. L.A. Bauer, "Astronomer and Magnetician",
Chief of the Division of Terrestrial Magnetism of
the Coast and Geodetic Survey.**

Borrowed from USGS an 8" direction theodolite, read with micrometer microscopes to two seconds, by estimation to 1/5 of a second; A mean time chronometer; A magnetometer; A dip circle; A fifty foot steel tape; An observing tent; Two specially constructed heliotropes.

Bauer made a point on Backbone Mountain his main control point, and reran the Michler Line or "Fairfax Meridian", using five traverse points on mountain tops, longest sight 9 ¼ miles, with an astronomic check at Snaggy Mountain, 20 miles from the Fairfax Stone.

**He found the Michler line varied from his observations by 13.25' to the east at the Mason-Dixon line, or approximately 4 ½ inches per mile. Bauer concluded:
*"For all practical purposes the Michler line may be regarded as having been sufficiently checked and as being a true north and south line passing through the Fairfax Stone."***

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West Virginia Criticizes Brown's Work

West Virginia noted that Brown admitted he was not retracing an old line with the Potomac Meridian, but placing a line where no line had ever been before.

“In doing this work they were confessedly not retracing ... any line previously run, or any line ever recognized or claimed by either State as her boundary line; but here, at the end of the nineteenth century, these gentlemen, without any authority from the Court, are found making a new boundary line ... tracing it through a well-settled country, all the inhabitants of which have, from time immemorial, recognized the States of Virginia and West Virginia as entitled to their allegiance, and none of whom had heard of any claim for a line to be run through their property as a boundary line between the States.”

“Mr. Brown has so far forgot the position which he occupied as a mere surveyor, who is supposed to act impartially and without reference to the interests of either side and has undertaken to make out a case for the State of Maryland.”

“We think, on the other hand, it will be found that Mr. Monroe ... has understood all through the case that he was expected to do only such surveying as he was directed and to report facts and not endeavor to make a case for the State of West Virginia.”

“(Brown) has, with characteristic partisanship and unfairness, designated the stream, which runs to the Fairfax Stone, as Fairfax Run, endeavoring to make it a mere run and as contemptible as possible.”

“in order to get the length of the two prongs ... instead of measuring in the middle of the stream of the branch that leads to the Fairfax Stone, he measured on the inside of the curve so as to make it as short as possible. In measuring the other stream ... he measured the outside of the curve.”

The Fairfax Branch as measured by Brown was 6418.8 feet,

Monroe measured it in the center as 6744 feet.

The “Potomac” Branch as measured by Brown was 6477.7

Monroe measured it in the center as 6419 feet.

The Monroe Survey For West Virginia

Following the
Footsteps

In answer to criticism of Monroe's work, counsel for West Virginia noted:

“A great deal of time and pains has been taken ... to show that a straight line cannot be run upon the ground for a long distance with the ordinary surveyor's compass ... and a great deal of time and pains was taken to show that this reference line run by Mr. Monroe is not a straight line upon the ground. It seems to us that this was time and labor wasted, because Mr. Monroe agrees that this is true, speaking astronomically and according to true scientific meridians. But this was not the class of work that Mr. Monroe was doing. He was finding the old line by locating natural and artificial objects upon the ground, the theory of counsel for West Virginia being that if this line can be located definitely on the ground and it can be shown that it has been recognized ever since it was run as the boundary line between the States, the Court will adopt it as such and not disturb it simply because it does not conform to the true magnetic meridian.

Maryland's Case

Put it Where it Was
Supposed to Be

Maryland asserted the “Deakins Line” is:

“a mere myth”

“incapable of location as a continuous line”

“a mere gratuitous and arbitrary location and made without authority”

“not a meridian ... not a continuous line, but is broken by numerous grants, made by ... Maryland in 1774, 14 years before the laying out of the military lots, and is likewise broken by the irregular location of the western boundaries of the lots themselves, and aside to the reference to said line ... in the Acts of 1788, there is no evidence that any such line was ever run by Deakins.”

Plate No. 3.

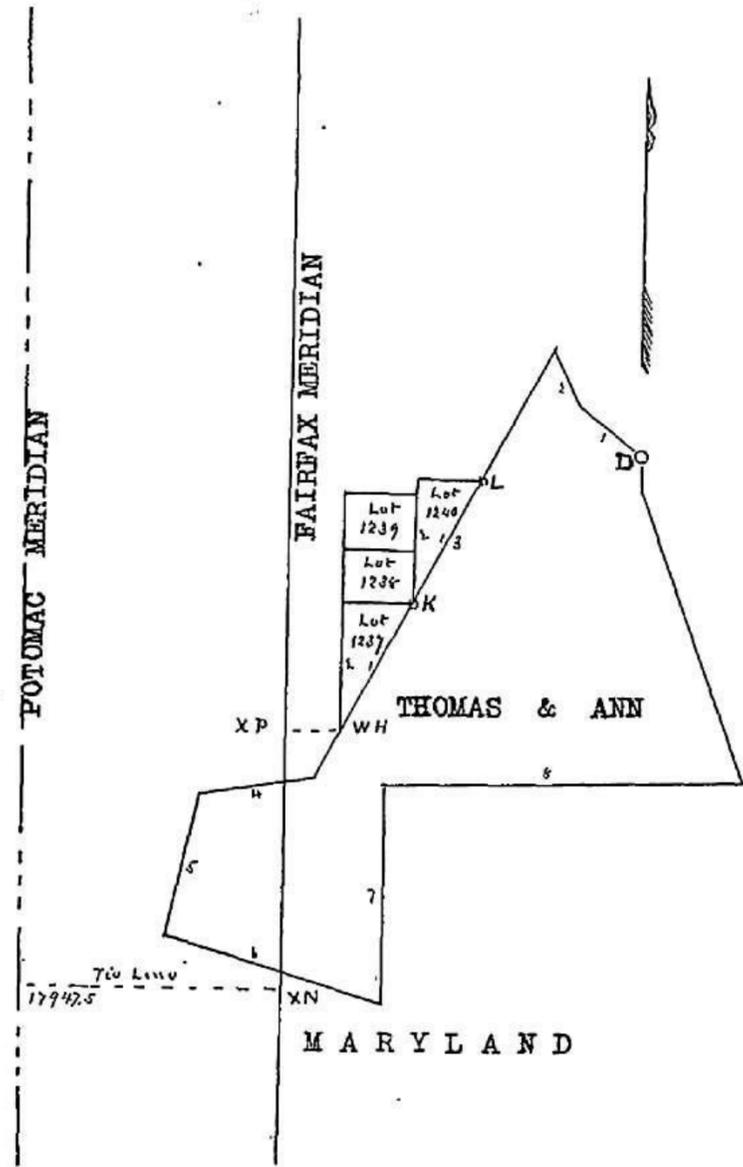
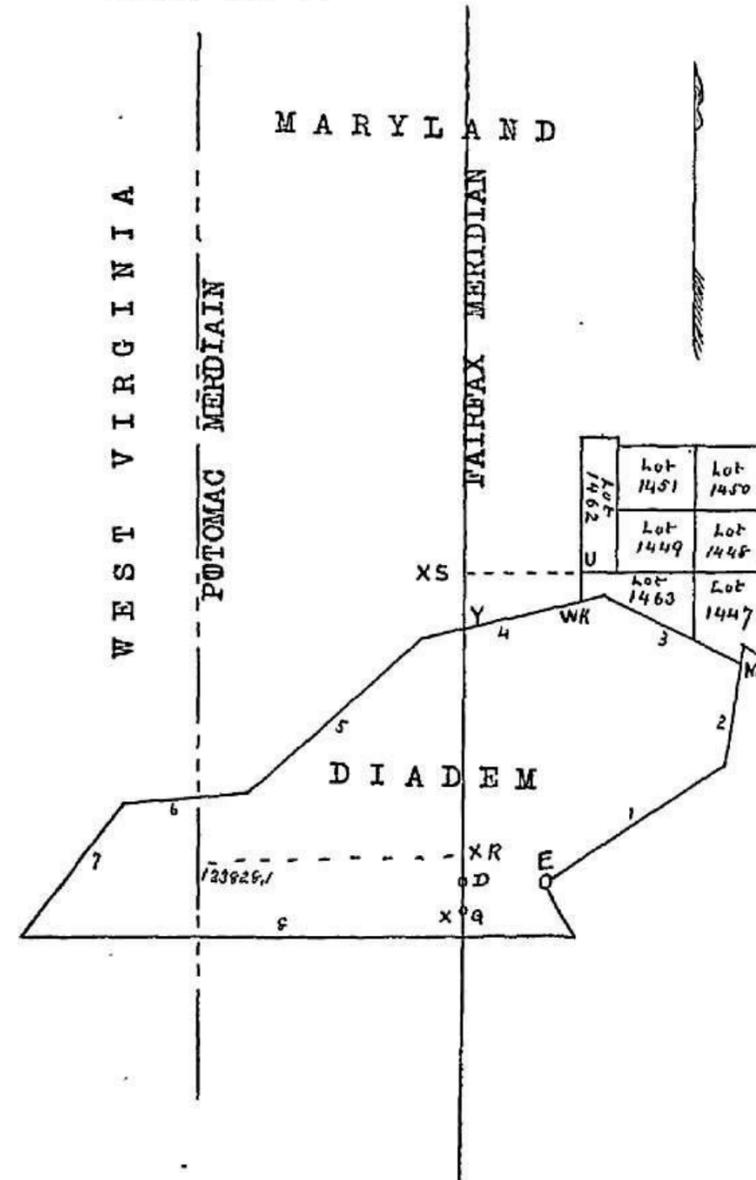


Plate No. 4.



Maryland cited several witnesses who confirmed that:

“Potomac Spring is a constant and never-failing fountain, while the springs at Fairfax Stone are simply wet-weather springs and often go entirely dry.”

Maryland also noted the Potomac Spring was higher:

Potomac Spring = 3287.12’

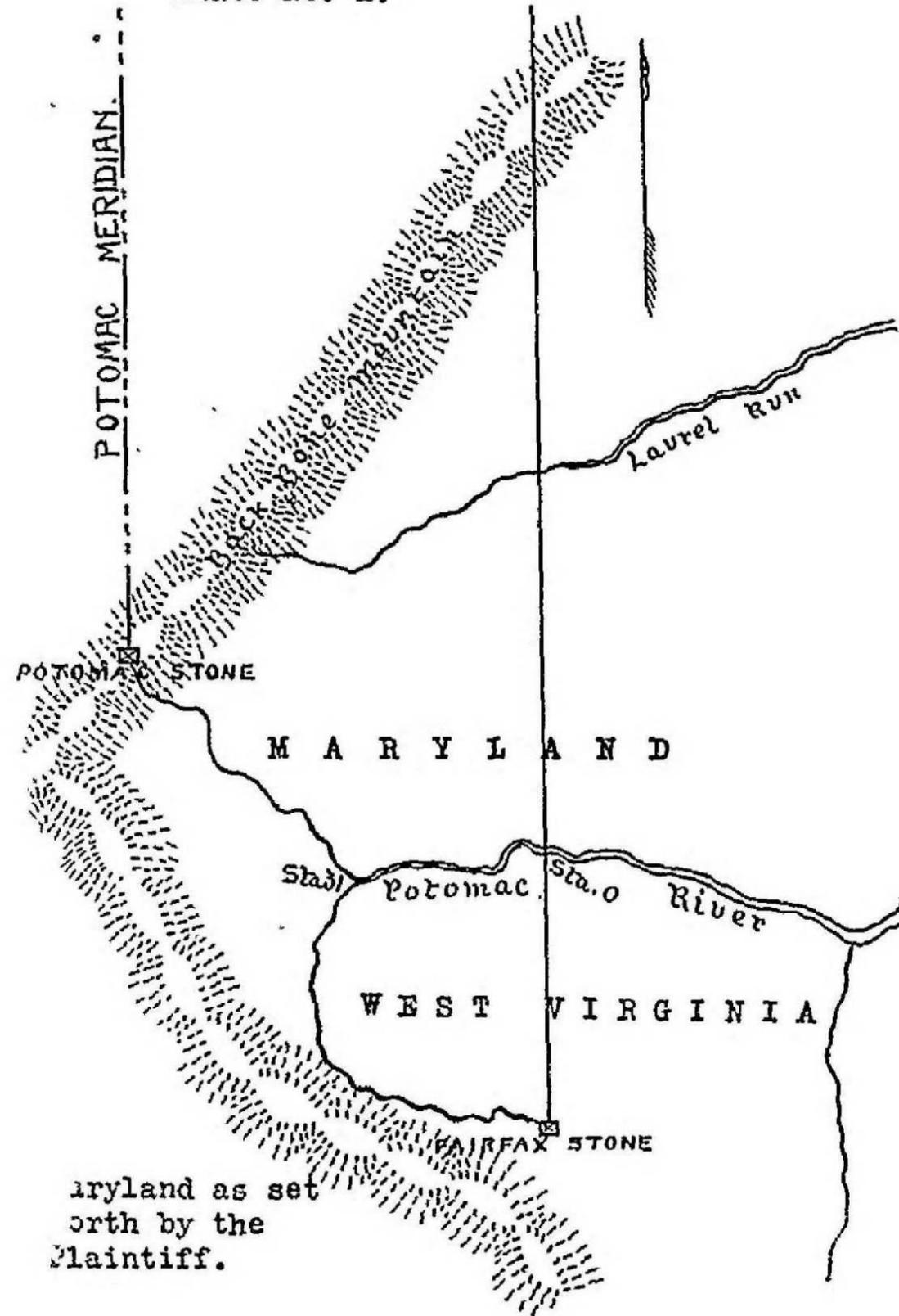
Fairfax Spring = 3162.416’

Maryland asserted the river should be followed from its “first fountain” to the Chesapeake Bay, and with the “Fairfax Meridian” it did not, crossing the main stream

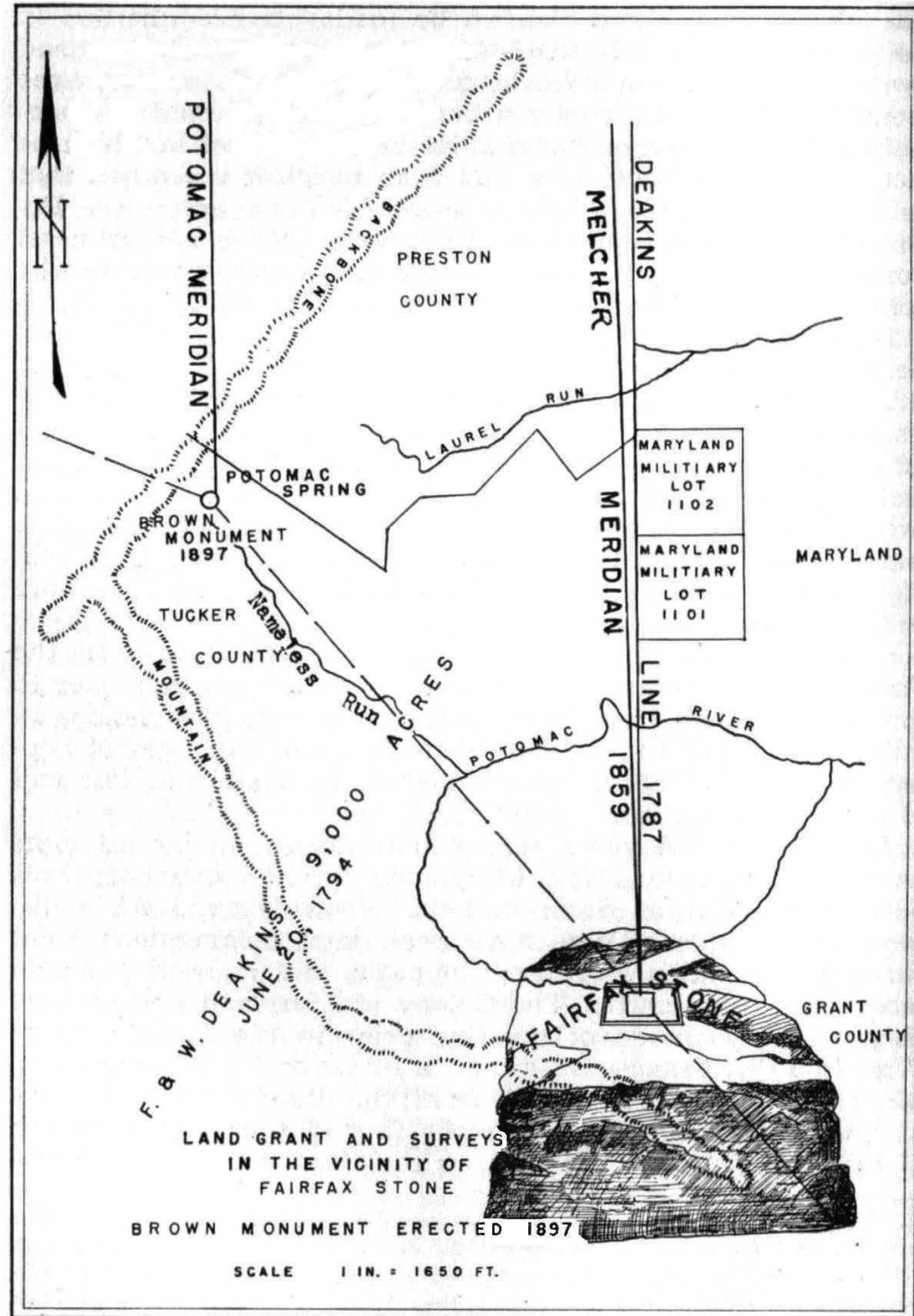
“where it is fully thirty feet wide, two miles east of its most western source”

(By survey, 5978.56’ further east)

Plate No. 1.



Maryland as set
forth by the
Plaintiff.



Give us a Break

“Maryland, in the spirit of sisterhood and Union ...has already borne repeated deprivations of parts of her territory which have been added to the domain of circumjacent states. On the southeast her boundaries were compressed to the advantage of Virginia. On the east she lost what now forms much of the State of Delaware. On the north Pennsylvania was greatly aggrandized at her expense. And at the southwest she has virtually surrendered the magnificent dominion between the North Branch and the South Branch of the Potomac River ... Maryland’s claim herein is an exceedingly limited and modest one.”

W.Va.'s Rebuttal
Leave it Where it Has
Always Been

**The Fairfax Stone has been long recognized;
Virginia and West Virginia have long been in possession, acquiesced to by Maryland**
*“the State of Maryland has recognized the right of West Virginia to the territory ...
west of the Fairfax Stone, and acquiesced in the exercise of exclusive jurisdiction and
control of West Virginia over said territory.”*

*“the same considerations which will prevent the Court, as we believe, from disturbing
the North Branch as the boundary line, will also prevent it from adopting any other
source of the North Branch than the Fairfax Stone as the head spring or first fountain
to which the boundary line shall run, even if at this time there were any serious doubts
as to it having been properly located originally.”*

*“Either one of the three prongs might be selected with almost equal propriety, and,
when selected, no good reason can be given for changing from that selection to either
of the others, especially where one hundred and fifty years have elapsed, rights have
been acquired and the selection of any other point would disturb conditions and
property rights which have grown up and existed upon the faith of the first selection.”*

“Although the Court may feel that it would probably have decided the question otherwise originally, yet it will now not reverse the decision or change the status unless it is so absolutely clear that reasonable men cannot differ about it.”

“All the territory between the Michler line and this so-called Potomac line is covered by grants made by the State of Virginia. These grants go back considerably more than a century, and the country has been settled by persons claiming the land under these grants, and the property has been transmitted from one to another by conveyance, inheritance or will, under titles recorded in Preston County, West Virginia, in which County the lands have been assessed, taxes paid, the roads worked, the schools established and maintained and all the rights of the citizens exercised in the usual way. The State of Maryland has never had any jurisdiction of any part of this territory. The testimony on this point is conclusive and uncontradicted.”

West Virginia argued that if the Michler line was held “all the titles granted by Virginia East of that line will be void” and “none of the several hundred inhabitants . . . will have any valid title” despite many years of holding that land” and holders of Maryland patents “which have been taken out simply to cover these lands” with no possession “will be able to turn the inhabitants now living there out of house and home . . . This result would be so disastrous, would rend so many home ties, break up tender associations and violate so many of the most tender sentiments of the human heart and cause such great suffering and loss” that West Virginia could not imagine the Court would do it, as rendering a decision leading to “such disastrous results” could not be in accordance with “the principles of the very highest equity and justice . . . “

**West Virginia asserted there was really only one question
to be answered by the Court:**

“whether the ... Deakins line shall be adopted and established as the boundary line between the States, or whether the line run by Lieutenant Michler in 1859 shall be adopted and established as such boundary line.”

“The Deakins line ... was believed to be a due North line. It was never discovered that it was not ... until the line was run by Lieutenant Michler in 1859. His line was run by scientific, astronomical observations, and much more accurately than the old lines of nearly a century before and it was discovered that the old line varied from the due North course ... and the question to be decided in this case is whether Maryland is entitled to have this line run in a due North course, or whether West Virginia is entitled to have the boundary line remain where it has been held to and recognized for more than a century.”

“It is claimed ... by counsel for the State of Maryland, that this old line should not be recognized because it is not a continuous straight line as now recognized and held to by the citizens, but has a number of angles and setoffs in it. It does not seem to us that this can have any weight. ... it is a question of disturbing a status that has existed so long that it would be inequitable to disturb it, and it would be just as inequitable to disturb the possession held along a broken line as if it were along a straight line”

The Decision

Settled At Last

The Decree

“That the true boundary line between the states of Maryland and West Virginia is ascertained and established as follows:

Beginning at the common corner of the States of Maryland and Virginia on the Southern bank of the Potomac River at low water mark at or near the mouth of the Shenandoah River, and running thence with the Southern bank of the said Potomac River, at low water mark, and with the Southern bank of the North branch of the Potomac River at low water mark, to the point where the North and South line from the Fairfax Stone crosses the said North branch of the Potomac, and thence running Northerly, as near as may be, with the said Deakins or Old State Line to the line of the State of Pennsylvania.

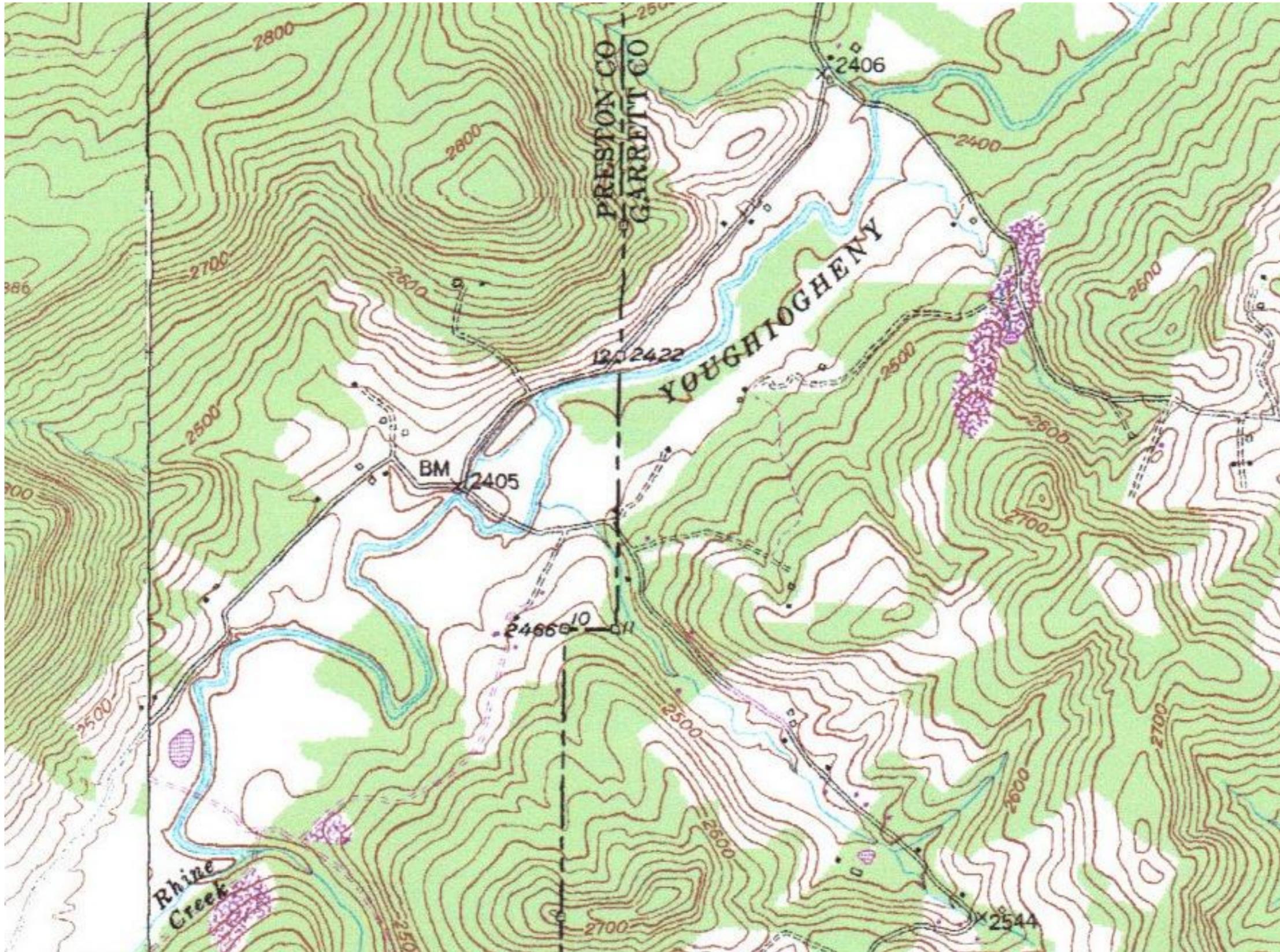
Julius K. Monroe, William McCulloch Brown, and Samuel S. Gannett were appointed commissioners to:

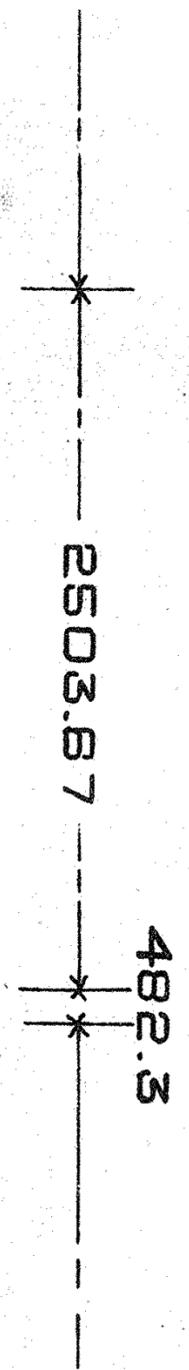
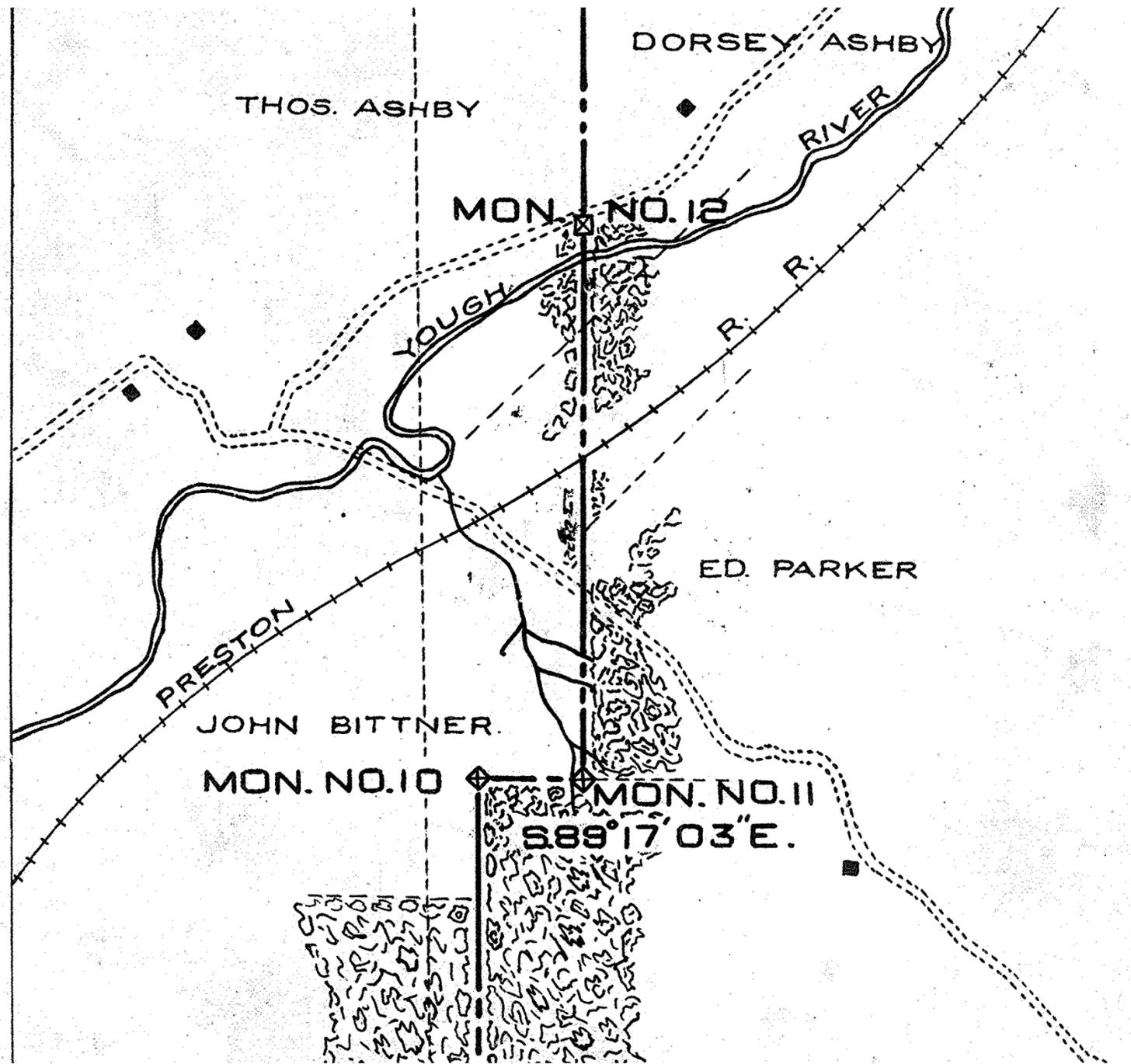
“run, locate and establish and permanently mark with suitable monuments the said Deakins or Old State Line ... as far as practicable as it has been generally recognized and adopted by the people residing about or near the same”

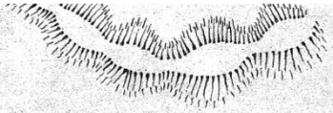
The Reasons

—The record in this case sustains the proposition that, for many years, the people of Maryland, Virginia, and West Virginia, have accepted as the boundary between Maryland and West Virginia the line known as the Deakins line, and have consistently adhered to the Fairfax Stone as the starting point of such line, and that none of the steps taken to delimit the boundary since such line was run in 1788 have been effectual, or such as to disturb the continued possession of people claiming rights up to such Deakins line on the Virginia and West Virginia side.

- *Even if a meridian boundary line is not astronomically correct, it should not be overthrown after it has been recognized for many years and become the basis for public and private rights of property.*
- *Boundary disputes between states should be adjusted according to the facts in the case by the applicable principles of law and equity, and in such manner as will least disturb private rights and titles regarded as settled by the people most affected, and it should be the manifest duty of the lawmaking bodies of adjoining states to confirm such private rights in accordance with such principles.*







MAP

SHOWING THE

BOUNDARY LINE

BETWEEN

MARYLAND & WEST VIRGINIA

FROM THE POTOMAC RIVER TO THE PENNSYLVANIA STATE LINE

AS SURVEYED AND MARKED UNDER THE DECREE

OF THE

SUPREME COURT OF THE UNITED STATES

RENDERED MAY 31, 1910

Jefferis S. Hanson
W. McCallister Brown
Samuel S. Gannett

COMMISSIONERS

OCT. 1 1911.

HORIZONTAL SCALE 1"=1000'
VERTICAL " 1"=200'

J. H. HENDERSON DRAFTER
CONNELLSVILLE, PA.



West Virginia & Regional History Collection

Deakins Line Survey Crew, 1910, WV & Regional History Collection



**State Boundary
Marker #1,
1910 Survey,
South Bank
Of Potomac River**

**Darlene Fife Collection,
W.Va. & Regional
History Collection**



Marker # 1
August 2011
South Bank of
N. Branch of
Potomac



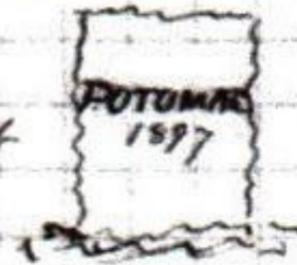
**Marker #6
Along U.S.
219**

Seeking the Potomac Stone

81		43° 10'	S 81° 42' W	S 78° 43' W	149.4	To Bear Willow Stream, East Began Aug. 11 th
82	46° 47'		N 51° 52' W	N 54° 30' W	78	
83		10° 21'	N 62° 55' W	N 64° 51' W	170.8	
84		24° 57'	N 86° 42' W	N 89° 48' W	27.3	
85	51° 26'		N 35° 35' W	N 38° 22' W	50	
86		34° 37'	N 70° 00' W	N 72° 59' W	48.6	
87	28° 04'		N 41° 50' W	N 44° 55' W	52.3	
88		37° 02'	N 78° 57' W	N 81° 57' W	69.1	
89		8° 49'	N 57° 40' W	S 89° 14' W	78.5	
90	28° 52'		N 58° 46' W	N 61° 54' W	77.5	Out of hamel
91		52° 04'	S 69° 05' W	S 66° 02' W	79	
92	46° 04'		N 64° 55' W	N 67° 54' W	95.4	
93		33° 47'	S 81° 20' W	S 78° 19' W	120.6	At end of 87 ft. on 96 line Spring 10ft. South west. End 110ft. on 96 line, Spring 15ft. South west
94		11° 57'	S 69° 25' W	S 66° 22' W	135.3	
95	59° 41'		N 51° 03' W	N 53° 57' W	113.4	
96		7° 43'	N 58° 40' W	N 61° 40' W	134	
97	7° 33'		N 51° 03' W	N 54° 07' W	135.3	Head Spring
98		22° 14'	N 73° 15' W	N 76° 21' W	296	Top Back Bone Mt.
99		27° 44'	S 78° 45' W	S 75° 55' W	159	
100	10° 26'		S 89° 05' W	S 86° 21' W	150	Spring West of Mt.
101	40° 15'		S 49° 30' W	N 54° 24' W	150	Course of Brook

Station 97 on Potomac Stream is upon the bank just above the Head Spring, which comes out strongly from the head of a small ravine about 6 ft. deep by 10 feet wide. The stake is 2 feet N.W. of a large flat stone 4" thick 2 feet wide and about 3 feet high which we planted on the slope of bank between stake 97 and the spring.

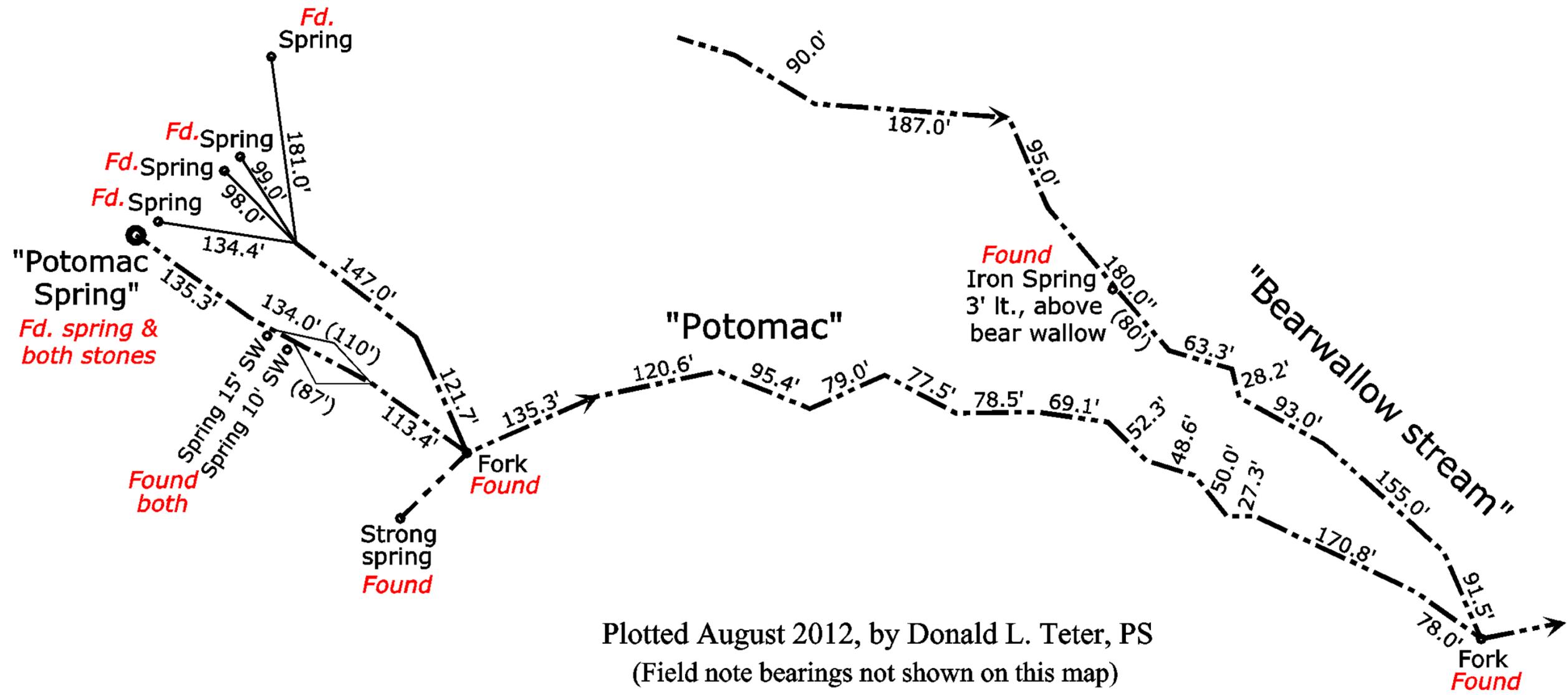
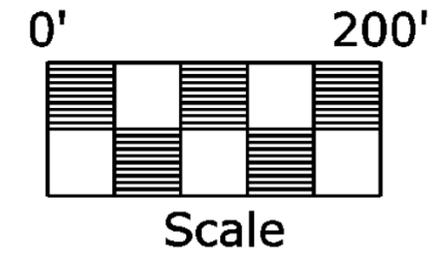
The stone is marked
This stone is about 4 feet from where the principal stream of water comes out of the ground, but if the spring were opened up, it would be nearly over it.



The Spring is in open Beech & Sugar Woods, and on the first slope of the Back-Bone or Great Savage Mountain, the top of the Mountain being in sight.

Partial Plotting of William McCulloh Brown's 1897 Field Notes

As used by WV Surveyors Historical Society
in successful 8/12/2012 search for the Potomac Stone.



Plotted August 2012, by Donald L. Teter, PS
(Field note bearings not shown on this map)











SESSION EVALUATION

