The Deakins Line: Stones in the Swamp

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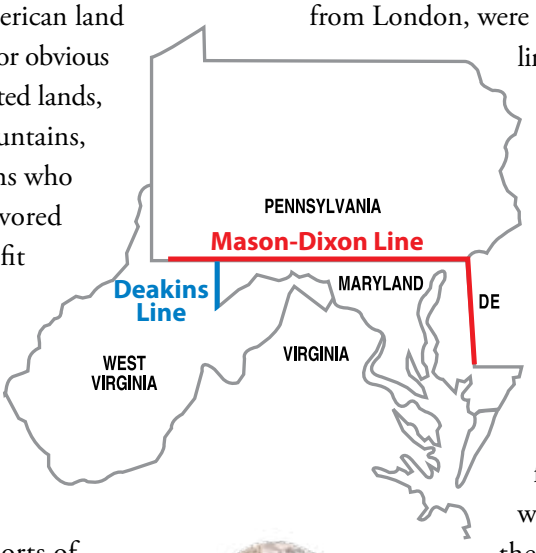
Setting boundaries for colonial American land grants in the 1600s proved difficult for obvious reasons. After all, these were uncharted lands, full of wild, difficult to explore mountains, rivers, and forests. Distant monarchs who bestowed large tracts of land on favored subjects often did so without benefit of accurate maps or surveys.



The resulting disagreements about who owned what territory sometimes lasted for years and even ended up in the Supreme Court. Maryland's northern and western boundaries illustrate the sorts of problems early settlers encountered, and some of the evidence of the long-running western boundary dispute can be seen in the Cranesville Swamp Preserve that straddles Maryland and West Virginia.

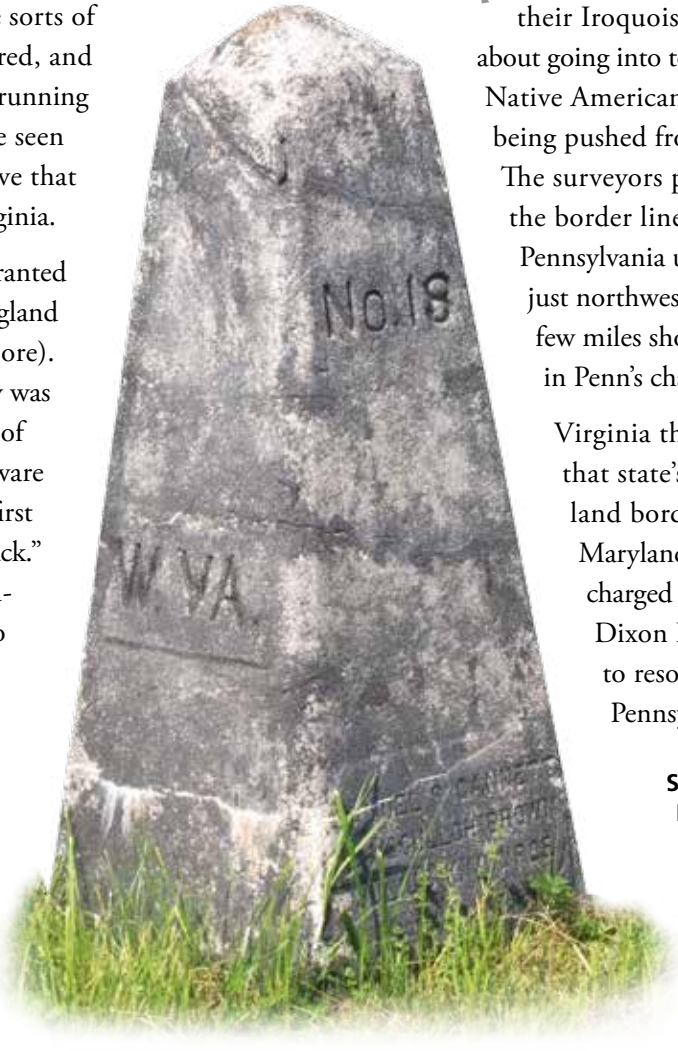
Maryland's original charter was granted in 1632, by King Charles I of England to Cecilius Calvert (Lord Baltimore). The territory's northern boundary was declared to be the fortieth degree of northern latitude from the Delaware Bay to the "true meridian of the first Fountain of the River of Pattowmack." Here the boundary turned southward, along the Potomac River, to form the western border.

Had Calvert retained all the land to the actual fortieth parallel, the city of Philadelphia would be in Maryland. Possibly, Marylanders would be eating cheese steaks instead of crabs. However, King Charles II of England gave William Penn a land grant in 1691, and Penn challenged the boundary between the two colonies.

Initial directives from the English crown were in Calvert's favor, but he failed to pursue the establishment of the fortieth parallel; therefore, after decades of unresolved discussions, Charles Mason and Jeremiah Dixon, highly skilled surveyors from London, were employed to determine and mark the line between Pennsylvania and Maryland. The result is the famous Mason-Dixon Line that divides Maryland and Pennsylvania and determines what is considered North and South in this part of the United States.

Unfortunately, the problem was not completely resolved by the nearly five year surveying effort. In 1767, Mason and Dixon were prevented from marking the boundary at the far western edge of Pennsylvania because their Iroquois guides were concerned about going into territory held by the Lenape, Native Americans who were unhappy at being pushed from their lands by settlers. The surveyors placed stone markers on the border line between Maryland and Pennsylvania until they reached a point just northwest of Oakland, Maryland, a few miles short of the point mentioned in Penn's charter, where they stopped.

Virginia then raised the issue of that state's charter, which included land bordering Pennsylvania and Maryland. A new commission was charged with extending the Mason-Dixon Line further west in order to resolve the question of where Pennsylvania and Virginia meet.



Stone No.18 along Lake Ford Road at Cranesville Swamp. Note the W.VA. marking on one side – MD. is on the opposite side. The writing at the bottom of the stone lists the surveyors: Samuel Gannett, W. McCulloh Brown and Julius Monroe.

Views from Cranesville Swamp Preserve. The swamp area straddles the Maryland/West Virginia border known as the Deakins Line.

Meanwhile, the western boundary of Maryland was also being disputed. King James II of England had granted the Northern Neck of Virginia (an area between Maryland and Virginia) to Thomas (Lord) Culpeper on September 27, 1688. This territory was described as being bounded by the headwaters of the Rappahannock and Potomac Rivers, but finding these headwaters was complicated by the fact that the Potomac has two branches. Furthermore, two different survey parties identified two separate spots as the sources of the North Branch.

Lord Fairfax, the next holder of this grant, and the governor of Virginia chose commissioners to settle the matter. The team, including Colonel Peter Jefferson (Thomas Jefferson's father), set a marker, known as the Fairfax Stone, at what they determined to be the head of the Northern Branch of the Potomac in 1746. In fact, George Washington, surveyor for Lord Fairfax, came to the area in 1748 to confirm this placement.

Maryland's sixth Lord Baltimore (Frederick) realized that accepting the Fairfax Stone as the southern edge of Maryland's western boundary would mean the loss of several hundred square miles of land for Maryland, and argued for starting this point at the headwaters of the South Branch, which extended further west. Lord Fairfax also would gain land back from Virginia if the headwaters of the South Branch of the Potomac was used as the dividing point. Colonel Thomas Cresap correctly identified the headwaters of the South Branch, but resolution of the issue was not reached before the Revolutionary War temporarily ended the discussion.

After the war, Maryland allocated parcels of land to veterans and engaged Francis Deakins to survey the western boundary of the state to clarify what land could be given. The Deakins line did not run true; it ended at a point nearly 200 miles from the corner of Maryland established by Mason and Dixon.

In the decades between the Revolutionary War and the Civil War, Maryland and Virginia authorized more surveying in an effort to determine the correct boundary. For example, the "Michler Line" was run in 1859.

This discussion continued between Maryland and West Virginia, when that state was carved out of Virginia in 1863. In 1891, Maryland filed suit in federal court and commissioned yet another survey that resulted in the 1897-1898 Brown-Bauer Line. Maryland asked that either the Michler or the Brown-Bauer Line be recognized as the state's western border, but in 1910 the Supreme Court in favor of the Deakins Line because it had been commonly

accepted by the residents of the area for many years, and thus would cause the least disruption for landowners.

The Supreme Court ordered three surveyors to check and mark the old Deakins Line. As the surveyors worked, they zigzagged the line at four places to accommodate existing property lines. Thirty-four large and numerous smaller monuments were set on this line, which runs from near the Fairfax Stone to the Pennsylvania line.

Even this final settlement of the boundary was contentious. Two surveyors, Julius Monroe and Samuel Gannett, agreed in their report. The third member of the party, W. McCulloh Brown (who had helped determine the earlier Brown-Bauer Line) published a report detailing the problems he saw with Monroe and Gannett's work.

Today, many of the stone markers set by various surveyors still exist along the boundaries of the states. Several of the Deakins Line monuments can be found in the Cranesville Swamp Preserve, where Maryland meets West Virginia in an unusual subarctic environment.

Visitors to the swamp can explore nature trails and boardwalks. If they look carefully, nestled among the unusual flora and fauna of the living museum, they might spot some worn, blunt stone obelisks, evidence of the resolution of a centuries-long battle to set clear boundaries.

Readers may remember the Mason-Dixon Line article in Mountain Discoveries' *Fall/Winter 2011 issue. That story and all past issues can be accessed online at* **www.mountaindiscoveries.com**, *under Past and Present Issues.*