

A Methods Proposal for the Recovery and Documentation  
of Historical Boundary Monuments of the  
Virginia and Tennessee Compromise Line

Jason Henry Connelly

East Tennessee State University

## Abstract

The boundary line between Tennessee and Virginia was run east to west, from Steep Rock Creek to Cumberland Mountain during the years of 1802 and 1803, and marked by tree blaze. This line was run again by two separate commissioned surveys, the first in 1858-9, the second in 1901. During these two surveys, ninety-nine stone monuments were set along the line to complement the blazed line and provide more durable boundary markers. The monuments set by the two surveys were of similar design, with a V on the northern side and a T on the southern side. A handful of these monuments have been incorporated into the National Geodetic Survey, however little documentation is available on the remaining stones. Obviously, some of the monuments have been damaged, broken or completely lost. In this paper, a brief history of the line and stone monuments is presented and methods are proposed to recover the historic monuments, locate their position to a high order of accuracy, and publicly document said position for use as future survey control and monument research.

A Methods Proposal for the Recovery and Documentation of Historical Boundary  
Monuments of the Virginia and Tennessee Compromise Line

The Joint Committee of the American Congress on Surveying and Mapping and the American Society of Civil Engineers begin the definition of land surveying as “the art and science of: 1) reestablishing cadastral surveys and land boundaries based on documents of record and historical evidence...”. By this definition, one of the responsibilities of a surveyor is that of a historian to boundary. The surveyor seeks out all available evidence of an original boundary, and when capable, uses modern methods to provide additional evidence for future research. The research proposed here will focus on one element of evidence, the monument, and a method of providing supplemental evidence for future recovery.

At varying intervals along the shared boundary of the states of Virginia and Tennessee, stone monuments have been placed as testimony to the location of these states mutual boundary. During two of the several attempts to resolve the location of this controversial line, the commissioners charged with the task of rerunning the boundary between the states placed the stone monuments for evidence of the line. These monuments were engraved with a V on the north side and a T on the south side to declare which side of the line the viewer is standing. Today many of these monuments that can be found are in various states of decay, though some of these monuments have been lost to the tides of time and progress. The intent of this research is to formulate a sound method for recovering the remaining monuments of the state line between Virginia and Tennessee before they are lost, and to provide sufficient documentation for future recovery, reference and/or research.

It should be understood that this research is simply a recovery of historic boundary monuments. While the monuments stand on the ground as reference to the state line, the scope of this research does not extend to surveying the location of the boundary line. The location of the monuments does not afford substantial evidence to determine the intent of the Compromise line of 1802. No certification is either asserted or implied that these monuments are the true line. Furthermore, no disputes exist concerning the location of the boundary line, and none are implied by this research.

*In order to move forward, one must look back. A summary of the line's history*

The origin of the Virginia - Tennessee state line is traced back to the original land grants that created the Colonies of Virginia and North Carolina. King James granted the first charter for the land of Virginia in 1606 with a southern boundary lying on “34 degrees of north latitude from the equinoctial line”. King Charles II, in 1663, granted the lands of North Carolina to a northern boundary of “six and thirty degrees of northern latitude”. In 1665, Charles II granted the same group a second charter that set its northern boundary at 36 degrees 30 minutes (Summers, 1903, p. 694). “In 1728, Virginia and Carolina completed their first boundary line survey, beginning at Point Comfort on the 36-30 parallel and extending 241 miles west to Peters Creek.” “In 1749 the line was extended another 88 miles, from Peters Creek to Steep Rock Creek, continuing along the 36-30 parallel”(Sames, 1992, p. 7). The surveyors on this extension were Peter Jefferson, father of Thomas Jefferson and Joshua Fry for Virginia, Daniel Weldon, and William Churton for North Carolina (Summers, 1903).

As settlers ventured further west, passed the point of the line marked at Steep Rock Creek, political issues arose that necessitated another extension of the line. In the

vicinity of the “Long Island of the Holston” some question surfaced concerning the state some voters resided in during the 1777 Virginia House of Delegates election. In 1778, the Virginia General Assembly passed a bill to extend the boundary of Fry and Jefferson. The bill ordered the line be picked up where Fry and Jefferson left off, and if found to be true to the call of 36 degrees 30 minutes latitude, continue west to the Tennessee River. If the line was not left off at 36 degrees 30 minutes latitude, then the survey was to run north or south to attain that latitude and then continue due west on that latitude to the Tennessee River. The Legislature of North Carolina agreed by passing an act in 1779 that commissioned Colonel Richard Henderson and William B. Smith to extend the line. Virginia’s appointed surveyors were Dr. Thomas Walker and Daniel Smith (Sames, 1992).

The first problem that faced the surveyors was finding the point where the 1728 line ended. The two teams finally decided to go back to record, and by astronomic observation determined an agreed place of 36 degrees 30 minutes north latitude. The two commissions, having come to an agreement of where to begin, started the traverse west, for a total of no more than 45 miles. Somewhere in Carters Valley, a dispute arose between the two commissions concerning the latitude being run (Durham, 1976). The North Carolina commission believed the line being run was too far south, and the Virginia commission contended that it was correct. After deliberation, backtracking and most likely more than a few words, the Walker and Henderson decided to run two separate lines, and leave the final decision of which line to honor to the two State’s legislatures. However, by the time the states agreed on which line was to be adopted,

North Carolina had conveyed and ceded to the United States the territory affected by the disputed line (Summers, 1903).

Tennessee was admitted into the Union in 1796 and its territories inherited the boundary west of Steep Rock Creek, and the adopted Constitution of the State described this line between Virginia and Tennessee as running along the latitude of 36 degrees 30 minutes. The extension line of 1778-9 was not settled by the time North Carolina conveyed the land that was now Tennessee, therefore the need to call on the surveyors to run the line materialized again. After considerable communication between the General Assemblies of Virginia and Tennessee, a compromise was made, leading to the name of the Compromise line of 1802. The commissioners for Virginia were Peter Johnston, Joseph Martin and Creed Taylor, and the Tennessee commissioners consisted of Moses Fisk, John Sevier and George Rutledge, with Martin and Nathan B. Markland appointed as surveyors (Price, 1976). The compromise was to commission surveyors to run and mark a line between the Walker and Henderson line, equal distant from each, to extend to Cumberland Mountain, being the western terminus of Virginia. This resolution stilled the air of controversy for more than fifty years (Summers, 1903).

In 1856, the General Assembly of Virginia again appointed two commissioners to meet commissioners appointed by the state of Tennessee, this time to rerun and mark the Compromise line of 1802. Tennessee responded in 1858 by authorizing the Governor to appoint two commissioners to meet with the Virginia commissioners to rerun and mark the line of 1802. The Tennessee commissioners were also charged to place permanent stone monuments on the line “where there is no growing timber by which the line may be plainly marked, said stones to be planted at least one in every five miles” (Summers,

1903, p.714). The Virginia appointed commissioners were James C. Black and Leonidas Baugh; Tennessee appointed Samuel Milligan and George B. McClelland as commissioners. Many difficulties were recorded by the commissioners during the attempt to rerun the line, most noteworthy, not finding the point of beginning. The line was reported to begin upon the top of White Top Mountain, which was reported to be eight miles north of the 36 degrees 30 minutes parallel. The best that could be found in the vicinity was a timber mark on a spur of the dividing range that splits the watersheds of the New River and the Holston River. Nevertheless, the commissioners persisted and retraced the line, leaving the point of beginning a mystery.

The surveyor's report stated: "Where we found no growing timber we caused monuments of stone to be erected, firmly planted a foot and a half in the ground and extending two and a half above the ground, well dress and marked on the north side with the letter V and the south side with the letter T, so that the line may be readily identified throughout its entire length." The line terminated at Cumberland Gap on a chestnut oak and also marked with a stone monument. "At the eastern end of the line where the timber ceases we placed a monument of stone, but we put no inscription upon it, indicating that point to be the "northeastern corner of Tennessee"" (Summer, 1903, p. 719-20). Virginia rejected the survey in 1860 and the governor was to appoint one or more commissioners to once again run the line and conform strictly to the compact of 1802.

In 1871, the General Assembly of Virginia passed another act to appoint commissioners to establish the line, and again in 1886. The state of Tennessee refused to take action towards settling the disputed line. In 1890, Assembly of Virginia repealed the act passed in 1803, and claimed the 1803 survey "was erroneous by reason of mistakes in

fact caused by defective instruments and incompetent observers”(Summer, 1903, p. 725). Just prior to this repeal, a suit between The Commonwealth of Virginia and the State of Tennessee had been instituted in the Supreme Court of the United States. The object of the suit was to have the Supreme Court declare the true line between the states to be 36 degrees 30 minutes north latitude. However, the Supreme Court “rendered their opinion, and decided that Virginia was estopped by her action in the year 1803, and declaring the true line between the states to be the compromise line of 1803” (Summer, 1903, p. 725).

Finally, in the spring of 1900, the Supreme Court of the United States directed commissioners to ascertain, retrace, remark and re-establish the boundary as fixed in 1803. The commissioners appointed were W. C. Hodgkins, J. B. Baylor, and Andrew H Buchanan. The commissioners filed their report in the clerk’s office of the Supreme Court. To better secure the boundary line the commissioners set “monuments of cut limestone, four and a half feet long and seven inches square on top, with V’s cut on their north faces and T’s on their south faces, set three and a half feet in the ground conveniently located” (Summer, 1903, p. 728).

The commissioner’s detailed report made many references to the survey of 1856, often finding 1802 timber marks through use of the 1859 timber marks. “The joint commission of 1859 did its work in a careful and conscientious manner” (Summer, 1903, p. 731). Similarly, the commissioners appeared to adopt the position of the line as marked by the stone monuments place in 1859, as they appear in the list of limestone monuments set and other durable marks. The approximate location of 99 durable marks are referenced to in the commissioner’s detailed report of the 1900-3 retrace and mark survey (Summer, 1903).

*A method for recovery*

The recovery of the state line monument will be carried out in two phases, each with independent priorities. The second phase will rely heavily on the accomplishment of the first phase, although there will be opportunity for overlap between the phases. The results of a partially completed second phase may provide useful data to aid in carrying out the first phase and bringing it to a decisive end.

The first phase is a research of the literature and maps with the intent to discover evidence for the field recovery of the boundary monuments, and the actual field recovery and documentation of this effort. This research will begin by scaling the approximate latitude and longitude of the monuments as shown on the United States Geodetic Survey 7.5 minute topographic maps. Then, by recovering in the field as many monuments as possible using the maps, go back to 1900-03 detailed report of the monuments and determine a means to search for monuments shown on the maps but not found, as well as those monuments not located on these maps. By combining the evidence found in the field and by reading the surveyors notes, it is hoped that some of the remaining monuments not located on these maps will be found, although it is probable that these monuments are lost or destroyed.

The second phase is to locate the monuments with relative precision using modern methods. The recovered monuments will be tied to a reference network by using survey quality GPS methods. Their locations will be published in State Plane Coordinates for each state, as well as US geodetic coordinates.

Phase two will begin with the networking monuments of known location, such as those state line monuments that have been incorporated into an updated network, for

example the National Geodetic Survey monuments. The eastern end of the line has three such monuments documented by the National Geodetic Survey, North Carolina Corner, Damascus, and Dunn, as well as several other points near the line. By beginning with these monuments, and by including other nearby reference stations, an indicator for the accuracy of the methods used will be available. Through the use of static GPS surveying technique as described by Magellan (1999) and Van Sickle (2001), these monuments will be networked into a closed loop framework. GPS data on these monuments will then be adjusted to a best fit with their published location. This will secure the location of a network with which monuments with unpublished location can be incorporated.

The means of tying in monuments with unpublished location will vary slightly, as topography of the land or the tree canopy dictate. When possible, a monument will be tied to directly by placing a GPS unit over the approximate center of the monument. However, many of the monuments are situated in heavily forested areas surrounded by various types of vegetation or in deep hollows, both situations not conducive to collecting good GPS data. In these cases, it will be necessary to locate by GPS two inner-visible points from which the location of the monument can be attained through conventional surveying methods (Van Sickle, 2001).

#### *Data collected upon recovery*

Upon first recovery of a monument, it is important to record ample information to simplify retrieval during the second phase of the recovery. A data sheet for each recovered monument will be prepared using a format similar that used by the Kentucky Tennessee Joint State Line Committee (Sames, 1992). The monuments will be given a temporary identification number, based on order of recovery. Later, when recovery

phase has progressed enough to provide sufficient information, the monuments will be identified by location, east to west, as shown in the 1900-03 detailed report. Each data sheet will also include the following records, given such records are available: Tennessee and Virginia counties, United States Geodetic Survey 7.5 minute topographic maps name, property owners name, physical description and condition of the monument, monument marking, nearest community and/or public roads, directions to monument from nearest mapped community or major road intersection, a reference sketch, photographs of the monument from the cardinal directions and quad sheet. Approximate latitude and longitude for each monument will be found using a hand held GPS and also recorded on the data sheet. When applicable, summaries of informal interviews with persons having reasonable information concerning the monuments will be written in an appendix and referenced on respective monument datasheets.

Finally, with the completion of the second phase, a precise location of each monument will be documented. This documentation will include both latitude and longitude as determined by the static GPS survey, as well as State Plane Coordinates for each state. The methods utilized to tie to each individual monument, direct GPS, inner-visible points, etc., will be listed as well as an appendix covering a summary of the raw data collected.

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