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The Alexandria--Mt. Vernon Conference

by Henry Morgan

When the two gentlemen from Maryland arrived in Alexandria that early spring day, they could not have guessed that their mission was to forge an early link in a chain of events that would end in a place many miles away and in another event two years later which would have world wide consequences. How could they guess? Their task was modest enough, although it held the promise of being very helpful to citizens of both Maryland and Virginia. Yet their first hours after landing on the Virginia side of the Potomac were not encouraging. Their hopes were somewhat dampened by what they saw and by what they failed to see. Alexandria, while a prosperous, busy, and growing port town, was only thirty-six years old and had hardly the finished look of Annapolis, which they knew so well. In addition, if they expected to be

greeted by their Virginia counterpart, they were disappointed. Moreover, there were threatening rain clouds, and they had to hasten to find lodgings for themselves. The date was March 20, 1785. The men, Samuel Chase and Thomas Stone, were two of the four commissioners sent by the legislature of Maryland to treat with a like group of Virginians concerning the common waterways of the two states.

The importance that the Maryland legislature attached to the mission is reflected in the importance of the men appointed as commissioners. All held numerous local and state public offices during their careers, including membership in the Maryland Senate. Chase and Stone both had signed the Declaration of Independence. Thomas Johnson was unable to come to this meeting, but he, too, was a prominent

legislator of Maryland and an outstanding lawyer. Daniel of St Thomas Jennifer, the uncle of both Stone and Johnson, was once a member of the Continental Congress and, later, would be a member of the Constitutional Convention..(1)

Maryland's original charter of 1632 seemed to include the Potomac River within its boundary. So long as she and Virginia both owed allegiance to the British crown, there appeared to be few if any problems concerning the free navigation of the river. But after independence, inconsistent and incompatible regulations of the two states did create increasing difficulties and annoyances. For men such as George Mason, who held extensive property on both sides of the river, the problems were personal and important. Jealousies and disputes concerning navigation, lighthouses, coastal defense, fishing and raparian rights, custom duties, and safety regulations did not promote the commercial interests of anyone. Of course the fourth of the Articles of Confederation guaranteed "free ingress and regress to and from any other state" for all Americans; but Maryland refused to ratify the Articles so long as Virginia continued to claim vast lands northwest of the Ohio. Mutual anger over this state of affairs did nothing to encourage cooperation. Cooler heads recognized the need to do something constructive, and in 1777 and 1778, first the Maryland and then the Virginia legislature appointed commissions to seek an agreement that would assure the free and safe use of this vital route of transportation and rich source of

fish.(2) Demands of the war brought this effort to naught, but peace brought a renewed interest in doing something. No one was more interested than George Washington, and no American leader knew the upper Potomac so well or understood better the potential of the Potomac Valley as a route to the western interior and to the Ohio and Mississippi Rivers. It was an attitude inherited from his brother Lawrence and reenforced by his own explorations and by his vast land holdings in the west. In September, 1784, he had undertaken an arduous six week 680 mile reconnaissance in an unsuccessful attempt to find an easy portage from the headwaters of the Potomac to the waters of the Ohio. And in December he went to Annapolis seeking support for his effort to get the Patowmack Company established. A number of his friends in Annapolis were just as interested. In fact, it was Samuel Chase, one of the Maryland commissioners, who helped draft the authorization bill for the Maryland assembly.(3) The company would develop the Potomac as a navigable waterway into the interior. An added stimulant to interest in river and coastal navigation at this time was the growing excitement over the potential use of steam power. The John Fitch and James Rumsey competition over developing a steam-powered watercraft was known to the well informed. By March of 1785, both state legislatures had approved the company, and Washington found himself president of it as well as of the newly established James River Company.(4)

In the latest round of



George Mason of Gunston Hall by Dominic W. Boudet
Courtesy of The Virginia Museum of Fine Arts

negotiations concerning their common waterways, it was Virginia, that took the initiative. Young James Madison, chairman of the committee on commerce in the lower house of the legislature, introduced the following resolution on June 28, 1784:(5)

"Whereas; Great inconveniences are found to result from the want of some concerted regulations between this state and the state of Maryland touching the jurisdiction and navigation of the river Potomac; Resolved that George Mason, Edmund Randolph, James Madison, Jr. and Alex. Henderson, Esq. be appointed commissioners and that they or any three of them do meet such commissioners as may be appointed on the part of Maryland and in concert with them frame such liberal and equitable regulations concerning said river as may be mutually advantageous to the two states and that they make report thereon to the General Assembly. Resolved; That the Executive be requested to notify the State of Maryland of the above appointment, with the object of it, and desire its concurrence in the proposition."

There was more to Mason's agenda than was stated in his resolution. Earlier that year he had visited Alexandria and had witnessed "several flagrant evasions" by foreign vessels unloading and loading, apparently without Virginia state supervision and presumably free of duty. This represented a substantial loss to the state treasury.(6) On March 16 that year, 1784, he wrote to

Thomas Jefferson, then in Philadelphia, criticizing their own work in writing the Virginia Constitution. At that time, he said, they ought to have stated clearly that Virginia's jurisdiction extended to the middle of the Potomac River. Now that Virginia had recently relinquished claim to her lands north of the Ohio, the "good humor" which that act had created made the time perfect to correct their mistake. Jefferson could readily agree, for he well understood the importance of removing all hindrances to interstate commerce.(7) He had experienced the inconvenience of such hindrances while serving as Virginia's governor.

Madison's resolution was approved, apparently pigeonholed, and thus largely forgotten. The same may have happened in Annapolis, for Maryland did not respond immediately. Nearly seven months later, however, Thomas Johnson, naming himself one of the commissioners, helped draft Maryland's answer.(8) Instructions to the Maryland commissioners differed in several respects from those given the Virginians. Any two of them were authorized to negotiate, and they were to reach agreements on navigation of the Pocomoke River on the Eastern Shore, of the Straits of the Chesapeake, and of the Bay itself, as well as of the Potomac.(9) These differences would be the cause of some confusion and embarrassment, thereby endangering the ratification of the final treaty. Provided the Virginia government approved, the Marylanders were directed to arrive in Alexandria to meet their counterparts on March 21, 1785.

The Virginia delegates were quite as experienced and talented as were the Marylanders. The brilliant young legislator Madison, was, of course, later to be known as the father of our Constitution and was our fourth president. Edmund Randolph, also destined for further distinction, was at that time the attorney general of Virginia. George Mason, the master of Gunston Hall, is the father of our Bill of Rights and is sometimes called the pen of the Revolution. Alexander Henderson, not nearly so well known as the other three men, was a prosperous merchant of Dumfries and Alexandria, much in the mold of our John Carlyle, a gentleman justice, close friend of Mason, and later the executor of Mason's estate. Henderson did have a son, Archibald, who became famous as the youngest and longest serving commandant of the United States Marine Corps.

In a December 7, 1785, letter to Madison, George Mason stated that his meeting with the Marylanders had taken place "by mere accident" when he happened to learn from two of them "two or three Days before the Meeting" of his appointment to represent Virginia.(10) When John Tyler learned of the lapse in notifying the Virginia commissioners, he opined that it could be simply a lapse in the memory of "our friend [Patrick] Henry." (11) Constantly preoccupied with his health, with his family and plantation responsibilities, and, at the moment, with his court work as a county justice, it seems doubtful that Mason would have taken any initiative in the matter. Fortunately, however, Major Jennifer,

one of the Marylanders, arrived at Mount Vernon on March 20th on his way to Alexandria. General Washington had been made aware of the Virginia resolution of the previous June, and he had recently received a letter from Thomas Stone concerning the matter.(12) Jennifer's arrival spurred him to action. Knowing his friend and neighbor Mason well, and being especially aware of his reluctance to travel, Washington immediately sent his carriage for Mason to take him to Alexandria.(13)

"Immediate" may have applied to the next morning, for it is not clear that Mason met Chase and Stone until the 21st. By chance, Mason was working at this time on a court case with Henderson, who must have been astonished when Mason informed him of their commission. Precisely how, when, and where the four of them met is unknown. Undoubtedly they had some animated discussions about their mission--probably at the city hall or at one of the excellent taverns in town--but must have felt unable to do anything substantive until the arrival of Madison and Randolph. Washington came to town the following day, doubtless spoke to the four, and encouraged them to begin their task.(14) They were quite willing to do so, for, as Mason later wrote to Madison, "the Md Gents wou'd have been much disgusted with a Desappointment after attending...in very bad Weather" and they "express'd the greatest Desire of forming such a fair & liberal Compact, as might prove a lasting Cement of Friendship between the two

States."(15)

Two days later, Washington again came to Alexandria and found that Madison and Randolph still had not arrived nor had Mason's and Henderson's commissions. He encouraged them to continue their discussions and invited them to come to Mount Vernon on the 25th as his and Mrs. Washington's guests.(16) There they would find a convenient and comfortable place to complete their work. The invitation was gratefully accepted. In the meantime, a letter from Randolph concerning other matters had been received by Mason. In it he had said not one word about the Maryland-Virginia conference, and, thus, they all inferred that he and Madison were unaware of it and would not be coming. It "convinced us that there must have been some Blunder or Neglect, in some of the public Offices"(17) Mason wrote to Madison the following summer. They also were unaware that their commission had stated that not fewer than three commissioners must be present. But since the Maryland commissions stated that any two of them could speak for their state and since General Washington was in possession of an earlier Virginia resolution* concerning some business with Pennsylvania which allowed any two Virginia commissioners to act, they reasoned that theirs also must have stated the same. From this time forward, Mason and Henderson seem to have accepted the wording of the Maryland Commission as a model for their own.

* A usually reliable source

describes this as "an earlier commission," but see end note (21).

Mason came to Mount Vernon on the 24th and the others came on the 25th. Continuing their work, they finished it on the 28th. Despite good will on both sides, there were a number of potential conflicts that had to be negotiated carefully. The Marylanders insisted at the very beginning that the sine qua non for further discussion was Virginia's agreement never to close the straits of the Chesapeake to them. This was readily agreed to. Maryland was equally insistent that her boundary must extend to the Virginia shore of the Potomac. Mason immediately agreed to this, saying that boundary had been established in Virginia's constitution.(18) Now if Madison had been present, this last and some related points may have been negotiated with more vigor. In his letter the previous March to Thomas Jefferson, he lamented that the Virginia Constitution had ceded to Maryland all that was granted in her charter except free navigation and use of the Potomac and Pocamoke.(19)

The compact, since generally referred to as the Mount Vernon Compact, consisted of thirteen articles. Under cover of a fairly long letter dated March 28, 1785, explaining some of their reasoning, it was transmitted by Mason and Henderson to Richmond. The Marylanders presumably carried their copy to Annapolis. In brief, they covered the following:(20)

Article I guaranteed the free and unencumbered passage of ships to or

from Maryland through the Capes of the Chesapeake and of any vessel belonging to a citizen of Maryland entering any river in Virginia "as a Harbour, or for safety against an Enemy without payment of...charges."

Article II gives the same guarantee to Virginia vessels entering Maryland rivers.

Article III Exempts payment of duty by vessels of war belonging to either state.

Article IV provides for no port charges for Maryland and Virginia vessels carrying local products for trade in the other state.

Article V provides for equitable charges for merchant vessels other than those described in Article IV and entering a port on either side of the Potomac.

Article VI declares the Potomac a common highway for all U. S. citizens and all other persons in amity with the U. S.

Article VII gives full riparian rights to property owners, such as building wharfs and other improvements, and fishing rights to citizens of both states providing in all cases that no obstruction to navigation or fishing rights of the other are impaired. No citizen of one state could fish with nets or seines on the shores of the other.

Article VIII prohibited the throwing out of ballast or giving any other obstruction to open channels of the two rivers without the consent of both

states.

Article IX provided for equitable apportionment of expenses for erecting and maintaining lighthouses in the Bay and upon the two rivers.

Article X is the longest and surely the most complicated article. It concerns the prosecution of piracies, crimes, and offenses within the Bay and the waters of the two rivers. It seems to give somewhat more responsibility to Virginia in the open waters of the Bay and somewhat more to Maryland otherwise. Stone, Chase, and Mason were trained in the law (although Mason never practiced it professionally), and great credit must be given their expertise and negotiating skills in completing this compact in such short order. Surely no single person could claim authorship of the Compact, but the rhetoric throughout is familiar to anyone acquainted with Mason's writing and ideas.

Article XI also required the same legal skills as for X. and establishes the legal basis for attaching vessels and contents for debts in a variety of circumstances in the waters of the Bay and the two rivers.

Article XII is short and quoted here in full: "The Citizens of either State having Lands in the other shall have full liberty to transport to their own State the produce of such Lands, or to remove their Effects free from any Duty Tax or charge whatsoever for the liberty to remove such Produce or Effects;"

Article XIII asks the two governments to approve and pass into law the compact and to agree not to repeal or alter it without the consent of the other.

It is then signed by the five commissioners.

The five also sent a letter to the government of Pennsylvania, declaring their hopes of opening up the Potomac route all the way to the Ohio. As the way from the upper Potomac had to traverse Pennsylvania territory, and as this would be of mutual benefit to the three states, they asked that Pennsylvania agree not to charge transit fees more than enough to defray their expenses.(21)

After learning that the compact had violated their commission's instructions in several respects, Mason was distraught over the prospect of having to travel to Williamsburg to defend their actions. In correspondence with Madison, he was at some pain to explain fully why they had acted as they did. The sympathetic and skillful Madison managed to nurse the compact through the ratification process, much to Mason's relief. It was finally approved in Richmond on December 30th after Maryland had ratified earlier.(22)

This was hardly the end of an "and-they-lived-happily-ever-after" story. There was widespread unease around the country over the weakness of the Congress under the Articles of Confederation. The chaotic conditions in inter state and foreign commerce

was especially troubling. England refused to sign a commercial treaty with us, Lord North saying that it would be more effective to sign thirteen, one with each state. England also was interfering with our vessels on the high seas and otherwise limiting our overseas trading. And as just one example of the type of problems recently faced by Virginia and Maryland, New York was very upset over New Jersey's charging a fee to ships entering New York Harbor while using the lighthouse located on the Jersey shore.(23)

Washington and many leaders around the country were in despair over the inability of the national government to regulate commerce. And while that concern may have fueled most of the criticism, fiscal, military, simple national pride, and other concerns, also, were being voiced louder and louder.. Even members of Congress had several times introduced resolutions to strengthen its powers; and some states, notably Pennsylvania, appeared ready to relinquish more power to Congress.; but, so far, all had come to naught. Why? Influential men, such as Patrick Henry, strongly opposed a more powerful central government. Even more reflective men, such as George Mason, felt cautious about placing further limits on state sovereignty.(24)

While it is a whole other story, briefly: The success of the Alexandria-Mount Vernon Conference induced the commissioners to recommend that representatives of the two states meet annually to coordinate

and equalize related matters of commerce. Maryland, in ratifying the Mount Vernon Compact, recommended that Pennsylvania and Delaware also be invited to meet with them. In response, John Tyler offered a resolution in the Virginia Legislature on January 21, 1786, inviting all states to send delegates to Annapolis in September for this purpose. This was done, but in the event only five states sent representatives; even Maryland, in the end, declining to participate. However, Alexander Hamilton of New York and James Madison took the lead in planning and getting a reluctant Congress to approve another meeting the following year in Philadelphia. And, thus, a process which began in Alexandria in 1785, culminated in the writing of the United States Constitution in 1787.(25)

During the celebration of the bicentennial of our Constitution in 1987, a renewed interest was shown in the events of March, 1785. A grand celebration and conference, attended by scholars, jurists, and political leaders was held at Mount Vernon to commemorate the event, and the following resolution by the General Assembly of Virginia was passed and widely distributed:

**RESOLUTION ENACTED BY THE
GENERAL ASSEMBLY OF VIRGINIA**

in honor of the Mount Vernon Conference

WHEREAS, the United States is approaching the Bicentennial in 1989 of the founding of our Republic, and
WHEREAS, we are in a period that is the prelude to the Bicentennial of the adoption of the Constitution, and
WHEREAS, in March of 1785, a Conference at Mount Vernon prepared the way for the Annapolis Convention in 1786, which resulted in the Constitutional Convention the following year at Philadelphia, and,

WHEREAS, the historic Mount Vernon Conference, was convened to discuss matters of mutual concern, to the joint actions of the Legislatures of both Maryland and Virginia, each naming Commissioners to the Conference between the two states, and

WHEREAS, the agreement reached by the Conference had an "impact upon the whole structure of the fledgling confederation," and

WHEREAS, March 28th, 1985 marks the 200th Anniversary of the Mount Vernon Conference.

NOW, THEREFORE, be it resolved that:

1. March 28th, 1985 shall be observed in the Commonwealth as a day of historic significance marking the part played by the Mount Vernon Conference as a first step leading ultimately to the Constitutional Convention;

2. That this Resolution be sent to the Legislature of Maryland to apprise them of this action by the General Assembly of Virginia for such joint recognition, or other ceremonies, as they might deem appropriate;

3. And, further, it is encouraged that ceremonies be undertaken in the Commonwealth, by the Federal Government, and in other states, to recognize the importance of the Mount Vernon Conference in establishing the American Republic; and finally,

4. That copies of this Resolution also be sent to the President, to the United States Congress, and each Member of the Virginia Delegation to the Congress.

ENDNOTES:

(1) Brief biographies of all four may be found in Edward C. Papenfuse, ed., *A Biographical Dictionary Of The Maryland Legislature, 1632-1789* (Baltimore, The Johns Hopkins University Press, date unk).

(2) Robert A. Rutland, ed., *The Papers of George Mason, 1725-1792*, 3 vols. (Chapel Hill, The University of North Carolina Press, 1970), p. 813. Hereafter cited as PGM. and James Haw et al, *Stormy Patriot, The Life of Samuel Chase* (Baltimore, Maryland Historical Society, date unk), p. 131. Hereafter cited as Chase.

(3) Ibid.

(4) Ibid. p. 130.

(5) Robert A. Rutland and William M. E. Rachel, *The Papers of James Madison*, vol 8 (Chicago, the University of Chicago Press, 1973). p. 89. Hereafter, PJM8

(6) Ltr., JM to TJ, 16 Mar '84, Ibid. pp. 10.

(7) Ibid., p. 11

(8) Chase, p. 13.

(9) Ltr., GM to JM, 7 Dec '85, PGM, pp. 835, 837; and also Ltr. 9 Aug '85, pp 826, 827.

(10) Ibid.

(11) Ltr., Edmund Randolph to JM, 17 Jul '85, PJM, p. 324.

(12) Ltr. Thomas Stone to GW, 28 Jan '85, found in loose-leaf folder, "Mount Vernon Conference" in the library at Mount Vernon.

(13) Jackson, Donald & Dorothy Twohig, eds., *The Diaries of George Washington* (Charlottesville, The University Press of Virginia, 1978), vol IV, p. 105. Hereafter, GW Diaries.

(14) Ibid., p. 107.

(15) Ltr., GM to JM, 9 Aug '85, PGM, pp. 826.

(16) Ibid., p. 836

(17) Ibid., p. 827.

(18) Ibid.

(19) Ltr., JM to TJ, 16 Mar '84, PJM, pp. 10, 11.

(20) A complete text of the Compact may conveniently be found in PGM, pp. 816 - 821.

(21) PJM. pp. 206,207. Apparently, when this arrived in Annapolis, it triggered Maryland's action in finally responding to Virginia's resolution of the previous June. Also, apparently, Washington had received a complimentary copy of the Virginia resolution concerning contacting the Pennsylvania government even though Mason and Henderson had not.

(22) PJM, p. 457 - 461 and fn 1.

(23) Whealy, Mervin B, "From the Mount Vernon Conference to the

Annapolis Convention," a paper read at the Northern Virginia Studies Conference, 1985, Braden, Jean H. ed (Alexandria, The Northern Virginia Community College, 1988). This paper examines in some detail the political and economic concerns that led to the Alexandria - Mount Vernon Conference and then to Annapolis in '86 and Philadelphia in '87.

(24) Ibid., especially pp. 47-49

(25) Ibid., especially p. 54.

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**MARY CUSTIS LEE-17TH VIRGINIA REGIMENT
CHAPTER, UDC**

**HONORS THE SIX SOLDIERS BURIED IN ITS CONFEDERATE PLOT
AT BETHEL CEMETERY IN ALEXANDRIA, VA.**

May 4, 2002

Rebecca Hatchell Kusserow,
Chairman, Museum Committee

It was a beautiful, cloudless, and sunny day fitting the occasion before us. We marked each grave with a Confederate Iron Cross and recited tributes to these soldiers who had been given Confederate burials by the R. E. Lee Camp, United Confederate Veterans of Alexandria. The R.E. Lee Camp #726, Sons of Confederate Veterans, which grew out of the Veterans of Alexandria organization, joined our Chapter and other comrades on this hallowed ground to pay tribute to these soldiers who were all but orphaned at their deaths subsequent to the War Between the States.

A tent was hung over the lot by the Sons, and Jacque Crawley, Recorder of Crosses, played Southern music and hymns on her dulcimer as we gathered to begin the program. Co. H, 17th Virginia Regiment of Infantry, re-enactors, marched up the road to the graves, carrying the Virginia flag. Reverend Richard Edgar, Chaplain of the Sons, opened the program with the Invocation and Psalm.

Mrs. Mark R. Allen, Secretary of

the Chapter, told us of the acquisition of the 'Confederate' lot, recorded in the November 7, 1892 Veterans Camp minutes. It was described as being "those grounds to bury any of our members or Confederate Veterans we may see fit." Mrs. Allen explained that our Chapter has maintained this lot since 1919.

"Nothing is ended until it is forgotten," began Miss Patricia R. Ridgely, President of the Chapter, reminding us that what is held in our memory still endures and is real. Miss Ridgely dedicated the markers with a blessing in grateful recognition of the noble service of these Six Confederate Heroes. The blessing reminds all who pause not only of the noble deeds of the Confederate Heroes but of the continuing need for unselfish service and inspiration for broader vision and finer service. Miss Ridgely then introduced the first presenter, Mr. Jerrel R. Keathley, Commander of the General Samuel Cooper Chapter #105, Military Order of the Stars and Bars, who made the following tribute to Austin D. Haynes who is buried in the

first grave.

AUSTIN D. HAYNES

Capt., CSA
63rd VA Regt
B. 1846
D. 10/5/1892

Grave 1

Captain Austin D. Haynes, born in 1846, enlisted at Wytheville, Wythe Co., Va. on July 5, 1861 in the 50th VA Infantry. He was present in the unit September 5, 1861 and January 3, 1862. (from **50th Virginia Infantry**, The Virginia Regimental Histories Series)

He transferred to Company A,

63rd Virginia Infantry, raised under an order from the Secretary of War dated April 9, 1862, and formally organized at Abington in Washington Co., VA. He enlisted March 31, 1862 and carried ranks of 1st Sgt. and 2nd Lt., due \$50 bounty. He was elected 2nd Lt. on March 1, 1864. He reported the strength of Co. A, on March 30, 1864 as 1st Cpt., 1st Lt., 30 Pvts. He was wounded in action on August 7, 1864 during the siege of Atlanta. He was called Captain by descendants, and may have been elected to that office prior to surrender. (from **63rd Virginia Infantry**, The Virginia Regimental Histories Series by Jeffrey C. Weaver)

Captain Haynes died of consumption on October 5, 1892 in



Washington, D.C. at the age of 46. He was a Member of the District of Columbia UCV. His stone inscription reads "True Soldier of the Cross and the Confederacy."

Edgar Warfield, Adjutant, R. E. Lee Camp No. 2, UCV wrote in the **October 9, 1892** minutes, "By order of the Commander, the Camp assembled at 1 p.m. and proceeded to the Wharf of the Alexandria and Washington Ferry and united with the Confederate Veterans Association of Washington D.C. and assisted in the funeral ceremonies of Captain A.D. Haynes, a member of that organization who was buried in Bethel Cemetery. The Camp on this occasion appearing for the first time in uniform."

The year end report of Commander Hooe, dated **April 3, 1893** states: "Captain A.D. Haynes belonged to the Confederate Veterans Association of Washington DC and was buried here in our grounds by their request."

ROBERTSON, J.S.

SC, Colonel
B. 1832
D. 6-/1862

Grave 2

The reinterment of Colonel J.S. Robertson in the R.E. Lee Camp's Confederate plot represents an act of widespread benevolence so often exhibited by the camp following the War.

The Camp minutes of **April 4, 1892**, state that a "Communication from Miss Henderson through the Adjutant (Edgar Warfield) was received in reference to the removal from their family vault in the Methodist Protestant Cemetery of the body of a Confederate Colonel placed there in 1862." Comrade Warfield was appointed to inquire into the circumstances and take such action as deemed necessary.

In the **January 2, 1893** minutes, Edgar Warfield, the Adjutant, "called the attention of the Camp to the request made some months ago by Mr. John T. Henderson, to remove from their family vault the remains of a Confederate soldier, J.S. Robertson, from near Beaufort, NC who was placed there in 1862, he having died in Washington, D.C. when on motion of Comrade Hooe, the Adjutant was instructed to have the remains removed and placed in the Confederate Section of Bethel Cemetery at the expense of the Camp."

The Adjutant reported to the Camp in **February 1893**, that due to the extreme bad weather, the committee was unable to reinter Colonel Henderson at Bethel. However, included in the year end report of Commander Smoot from the **April 3, 1893** minutes was the report of Colonel Henderson's reinterment. "Comrade J.S. Robertson, a Confederate soldier from near Buford, NC, we took his remains from the Henderson Vault and buried them in our lot. He had died in the District of Columbia in 1862."

The burial permit to reinter Colonel Robertson's remains states that he died from a gun shot wound in June of 1862, that he was single, and that he was 32 years old.

JOHN HENRY BOLTON

Co. A, 35 Bn VA Cavalry, CSA
1844 1900

Grave 3

Private John Henry Bolton, Co., A, 35th Battalion, VA Cavalry, enlisted April 14, 1862 at Amissville for the war. Present April 30, 1864. Absent with leave September 1, 1864, on horse detail. Paroled May 16, 1865 at

Winchester. 5'8", light hair. (from the **35th Battalion Virginia Cavalry**, Virginia Regimental Histories Series by John F. Divine)

From the **April 3, 1899** minutes of the R. E. Lee Camp No. 2, UCV, "Commander Edgar Warfield then read the following as his report for the past year. The past year has been a sad one for our Camp. God has seen fit in His wisdom to remove from our midst Comrades Greenwood, Wise, Hummerdinger, Proctor and Nevitt, to the funeral of each the Camp as an organization, attended. A delegation also on March 1 accompanied the remains of Comrade John Bolton, formerly of White's Battalion to his last resting place, he was buried in the



Confederate site in Bethel Cemetery, permission having been granted by your Commander, who would first here pay a slight tribute to the work done by the women composing the Mary Custis Lee Chapter, UDC by calling the attention of the Camp to the great good done by these noble women in this case;

This Comrade coming to our City an industrious and hard working man, fell victim to disease and found himself unable to care for his loved ones around him, was tenderly cared for by the women of this Chapter until death called him away, nor did they then cease from their work but by liberal contributions and good management of means within their reach, he was saved from what might have been a paupers grave and instead received from their hands a Confederate soldier's internment."

His burial permit (from Alexandria, VA) states that Private Bolton died of Brights disease at the age of 57.

In the late 1970's, Mr. Walter Sanford of Alexandria, VA, familiar with the R.E. Lee Camp, United Confederate Veterans and the Confederate Cemetery at Bethel, procured from the Veteran's Administration, the marker that rests on his grave today.

WASHINGTON NELSON TOLER

6th Virginia Cavalry
1840 1902

Grave 4

Washington Nelson Toler enlisted

May 30, 1861 in Co. K. Sick in camp on January-February, 1862 roll. AWOL on June 30, 1862 roll, but excused by General Jeb Stuart on February 12, 1862 roll. Detailed as scout for Gen. Stuart thereafter until scout for Gen. Fitz Lee on December 27, 1864 roll. Paroled January 31, 1863 by Provost Marshal, Army of Potomac, but no record of POW. POW February 21, 1863 in King George Co. Exchanged from Old Capitol Prison March 29, 1863. AWOL since October 21 on September 10, 1864 roll. Present on final January 2, 1865 roll. Paroled May 10, 1865 at Conrad's Ferry, Md. Took the oath May 17, 1865 at Headquarters, Defenses South of Potomac; resided in King George Co. Admitted May 6, 1902 to Maryland Line Soldiers Home, Baltimore, MD., age 63, farmer. Died in Washington, DC. (from **6th Virginia Cavalry, The Virginia Regimental histories Series** by Michael P. Musick) Burial permit from Alexandria, Va. indicates that he had been residing in Washington, DC and was single.

The original document from and agent of the Secretary of War, H.L. Clay, to General R.E. Lee and signed by both consecutively, on February 1862 and March 1862, to exchange prisoner N. Toler is in the Museum Collection of the Mary Custis Lee-17th VA Regiment Chapter, UDC.

Minutes of the R. E. Lee Camp, No. 2, UCV, dated **November 3, 1902**, read, "Moved and seconded by the Camp, that the request of the Mother of our late Comrade Toler be complied with - in regard to hanging in our Camp

Hall his certificate as a member of the Sons of the American Revolution."

The **Register of the District of Columbia Society Sons of the American Revolution 1896** (William J. Rhees, Compiler and Editor) as well as **A NATIONAL REGISTER of the SOCIETY OF THE AMERICAN REVOLUTION** (Compiled and Published under the Auspices of the national Publication Committee by Louis H. Cornish New York; Register list Collated and Edited by A. Howard Clark, Registrar-General national Society Washington, DC) define the rich lineage upon which Comrade Toler was admitted to the SAR. He was born at Mount Chene, King George County, VA on January 1, 1840, being the son of Hopeful Toler and Ann Nicholas (Grymes) Toler. Through his Mother's line, he was Grandson of George Nicholas Grymes (and Ann Eilbeck (Mason) Grymes;

Great-Grandson of Benjamin Grymes (and Ann (Nicholas Grymes) of "Eagle's Nest," King George Co., VA, Captain, Grayson's **Additional Continental Regiment**; Great Grandson of George Mason, Jr. (and Elizabeth Barnes Hooe), **Captain Virginia Line**; Great-Great-Grandson of **George Mason, Sr.** (and Ann Eilbeck Mason) of "Gunston Hall," Fairfax County, Va., Member of Virginia Committee of Safety, and, **Author of Virginia Bill Rights**, June 12, 1776; Member of Constitutional Convention.

The **June 2, 1902** Camp minutes state that Mrs. Ann Atkinson requested to be buried in the same lot "Confederate" at Bethel Cemetery in

the same grave with her son Nelson Toler at her death, the request granted." And so, she too, rests here.

WILLIAM WHEATLEY

Co. E, 17th VA Infantry

B. Feb. 19, 1838

D. Aug. 13, 1904

Grave 5

William Wheatley was a machinist at the age of 23 when he enlisted on April 17, 1861 at Alexandria. He was a Private in Company E. He was detached as a machinist to the ordnance machine shop in Richmond from 1861 to December 1864. (from the **17th Virginia Infantry**, The Virginia Regimental Histories Series by Lee A. Wallace, Jr.)

After the War, he returned to his native Alexandria. He was one of the group, of only 16 men, who met at Concordia Hall on June 30, 1884 to launch a formal Confederate veterans organization in Alexandria. He also shares in the distinction of being only one of the six to be in both the 17th Virginia Infantry and the R.E. Lee Camp, No. 2 United Confederate Veterans. (**Northern Virginia's Own**)

Private Wheatley died of Heart Trouble according to his burial permit. (from Alexandria, VA) His obituary appeared in the Alexandria Gazette and states that he died suddenly on August 13, 1904 at 66 years of age and that his funeral would begin at St. Mary's with family and friends being welcome.

The Lee Camp minutes state that a called meeting of the R.E. Lee Camp was held in our Hall for the purpose of attending the funeral of our late Comrade William Wheatley on Monday August 15th at 9 a.m. The pallbearers from the Camp were Comrades P. F. Gorman, Richard Rowland and R.M. Latham.

The Resolution of Respect states, "It has pleased Almighty God to remove from our midst the Soul of our late Comrade William Wheatley. This Camp is called upon to mourn for a true son of the Lost Cause, his family a kind husband and father, the community an upright citizen. Therefore, be it resolved that we tender to his bereaved family our sincere condolence in this, their hour of affliction.

LUTHER B. HALL

Co. G, 23 VA Infantry

B. 9/23/1845

D. 3/24/1922

Grave 6

Private Luther B. Hall, Co. G, 23rd VA Infantry was born September 23, 1845. Enlisted March 15, 1863 at Skinkers Neck for the war. Absent sick after October 4, 1863. Wounded November 27, 1863 at Paynes Farm. Captured May 12, 1864 Spotsylvania Court House. Sent May 20, 1864 from Belle Plain to Ft. Delaware. He was transferred to Point Lookout and exchanged September 31, 1864. Paroled about May 15, 1865 at Richmond. (from the **23rd Virginia Infantry**, The Virginia Regimental Histories Series by Thomas M. Rankin)

Private Hall died of anemia on March 24, 1922. His obituary from the Alexandria Gazette states, "The funeral of Luther hall, former Alexandrian, who died Friday in Charlottesville, VA., took place at 11 o'clock this morning (March 27, 1922) from Demaine's mortuary chapel. Services were conducted by Rev. Dr. E.B. Jackson, pastor of the First Baptist Church, and burial was in Bethel Cemetery. The deceased was a brother of Booker Hall of this city. He was a Confederate veteran and a member of Lee Camp, Confederate Veterans. The members of that camp attended the funeral.



Kate Hooper:

Alexandria's "Angel of Mercy"

by T. Michael Miller

Born in Centreville, Fairfax County Virginia on June 10, 1837, Miss Kate Padgett married John Hooper of Alexandria, Virginia in 1855.

As a resident of Alexandria during the War Between the States, Kate provided much needed food, nourishment, and water to hundreds of famished Confederates who had been captured by Federal troops and then transported North via railroads or ship to prisons and hospitals. Mrs. Hooper's humanitarian aid and fervid attention to the plight of Confederate soldiers earned her the epithet "Angel of Mercy" throughout the South.

Following the end of the war Mrs. Hooper and her husband departed Alexandria in 1866 and settled in Bates, Arkansas where she was greatly esteemed. Writing from that town, Kate addressed a letter to the editor of the Alexandria Gazette on September 29, 1893.. Her reminiscences of old Alexandria during the conflict are as follows:

"I was delighted to receive from Mr. Caton a special copy of the Gazette. To me it was very interesting, every incident as familiar as if it happened yesterday. I was an eye witness to the unfurling of the Confederate flag on the Marshall House (April 17, 1861), and saw Mr. (James

W.) Jackson (the hotel's proprietor) after he was killed (May 24, 1861). I had the privilege, yea the pleasure, of assisting two clergymen to get ready for banishment. One was Mr. Leftwich (pastor of the Baptist Church), the other name I have forgotten. (The Reverend Kinzey Johns Stewart of St. Paul's Church)

I feel proud to read of Mr. J.R. Caton--a prominent Alexandria attorney. When he was a boy I often taught him his lessons and then believed he would make a good man, worthy of his noble mother.

I regret to see the death of lawyer (S. Ferguson) Beach. During the war I lived at 118 Cameron street--(old numbering system); Mr. Beach two doors above. At that time he was indeed a friend. As a union man he had advantages that I could not have and many times assisted me in getting permits to visit the prisons. In fact, during the last two years of the war I never went to Washington to see a prisoner without the assistance of Mr. Beach. For the simple reason I loved the South and never denied it: sometimes they required permits to look at a rebel. I see no mention in the Gazette of one family, who lived below me on Cameron Street--Mr. William Stewart. His sisters were noble workers for the "Boys in Grey." Miss Millie Stewart often went with me to the prisons. This town (Batesville) is the home of one of my cholera prison acquaintances now our Congressman, General Robert Neill. He is now at home and will go back in a few days. Another citizen of our town and the

editor of one of our papers goes also. I will take pleasure in showing them the Gazette. If I could only give them one hundredth part of my love for old Alexandria you would have no trouble in getting them to locate there."

Respectfully, Mrs. Kate Hooper

[Source: Alexandria Gazette:
December 4, 1893]

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THE EPISCOPAL HIGH SCHOOL

HOXTON HOUSE

by T. Michael Miller

In the process of conducting research on Episcopal High School, new evidence has surfaced which points to the fact that Elizabeth Law, the granddaughter of Martha Washington, may have constructed the original fabric of the dwelling now called Hoxton Hall.

An archaeology report prepared by Tellus Consultants states that "the estate of Beale Howard was west of the Seminary but no evidence has been found that suggests the school lands were ever owned by the Howards." [Fairfax Deedbooks: Y2, p. 294, 357; Z2, p. 36, 329] [Allan R. Westover, "Archaeological Survey and Testing at the Protestant Episcopal Theological Seminary in Alexandria, Virginia" (Minneapolis, Minn: Tellus Consultants, Inc., 1991)]

Indeed, it was Francis Peyton, at one time the mayor of Alexandria and a wealthy land speculator who purchased several tracts of land which now comprise the present Episcopal High School.

He sold one tract to Elizabeth Park law for \$5,500. [Fairfax Deedbook: G2, p. 178] Elizabeth Law was the daughter of John Park Custis of Abingdon and the granddaughter of Martha Washington. At the age of 19, Elizabeth [b. 1776; d. 1832] married Thomas Law, a wealthy Englishman 20 years her senior. Law lost a fortune in real estate speculation in early Washington and the couple eventually divorced. Although the Laws resided in Washington on 6th Street and had a home in Prince Georges County, Maryland, Elizabeth also owned a house on property which is now the Episcopal High School. By 1809 Elizabeth who had moved to Fairfax County sold the house and 103 acres to William Robinson for \$10,000 [Fairfax Deedbook: J2, p. 381] Could it be that Elizabeth Law built the present dwelling called Hoxton Hall? Her purchase did include "a kiln of bricks which was supposed to contain 50,000 bricks." [FDB: G2, p. 178] [TELLUS, op. cit.]

Isabella Slacum a young lass whose father George Slacum owned Prospect Hill, [near the site of Bradlee Shopping Center] resided at the "Hill" across Braddock Road in the early 19th Century. She wrote in her diary as follows:

On the opposite elevation separated from us by the Braddock Road was an estate occupied by Mr. William Robinson. It had been the residence of one of Mrs. General Washington's granddaughters who was married to

Mr. Thomas Law. ...The marriage was not a happy one. ... Incompatibility of temper separated Mr. Law and his wife. No cloud of dishonor darkened the fame of either. [Mary Louisa Slacum Benham, Recollections of Old Alexandria and Other Memories (Starkville, MS: 1978), pp. 3-6]

William Robinson, from Georgetown, who maintained the property until 1835 was a member of the Middle Turnpike company and may have purchased the real estate for speculative purposes. It was during his ownership that the region was first called "Howard". [FDB: B3, p. 140]. Robinson subsequently sold the land to Wm. T. Alexander for \$3,000 in 1835. [B3, p. 410; D3, p. 128; E3, p. 172].

On June 26, 1839, the trustees of the Episcopal High School paid Alexander \$5,000. for "Howard". There is no mention in the chain of title that the Howard family ever owned the property which now constitutes Hoxton Hall. Perhaps, Beal Howard, who constructed a portion of 428 North Washington Street [The Charles Lee and Edmund Lee house] may have been the builder or the tenant at Howard during a latter time. A notice in the Southern Churchman published in the Alexandria Gazette of July 20, 1839 announced the following:

We rejoice to learn from every quarter that the plan of a High School and located in the vicinity of the Theological Seminary meets with universal favor. There is scarcely a situation in the country so commanding, so airy, healthful and retired. In saying this we make all due abatement on the score of long personal attachment to the beautiful mansion soon to be occupied by the members of the Protestant Episcopal high School at Howard or the Howard High School as we hope, from the fragrance of the name as well as from justice to the original proprietor of the spot, it will continue to be called. No one who shall reside there many days can avoid forming the strongest attachment to it. Its situation is not only lovely but is such that it will admit of any improvements which may be found necessary to put upon it. ...A committee appointed by the Board of Trustees and consisting of Bishop Meade, Rev. Edward C. McGuire, the Rev. George Adie, the Rev. Mr. Dana and Mr. Cassius F. Lee met in Alexandria on July 12 and made arrangements of the commencement of the school in October under Professor Pendleton.

The problem with this notice is that no member of the Howard family owned the property on which the mansion was situated. They owned the property to the west of the structure.

Recently, Peter Myers, former chief architectural historian for the National Park Service, made an investigation of Hoxton Hall. He indicated that the staircase dates from 1800 to 1810 and further stated that the nucleus of the structure is much older than the mid-19th century date which has been assigned as its origin.

Although we are not one hundred percent positive, there is the strong possibility that the early nucleus of Hoxton Hall was built by Eliza Law and may have served as her summer home. To further verify this research, I will soon examine Fairfax County tax records for the tract which became Episcopal High School in 1839.

Wouldn't it be fascinating if there were another house besides Woodlawn Plantation which was constructed by a granddaughter of Martha Washington? It would further enhance the historical significance of Hoxton House and the Episcopal High School.