

**REPORT  
OF THE COMMISSION TO STUDY  
THE TRUE AND CORRECT BOUNDARY  
between  
CARROLL AND GRAYSON COUNTIES, VIRGINIA  
and  
SURRY AND ALLEGHANY COUNTIES, NORTH CAROLINA  
to  
THE GOVERNOR  
and  
THE GENERAL ASSEMBLY OF VIRGINIA**



SO 4, 1966

COMMONWEALTH OF VIRGINIA  
Department of Purchases and Supply  
Richmond  
1965



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**THE TRUE AND CORRECT BOUNDARY**  
**between**  
**CARROLL AND GRAYSON COUNTIES, VIRGINIA**  
**and**  
**SURRY AND ALLEGHANY COUNTIES, NORTH CAROLINA**  
**REPORT OF THE COMMISSION**  
**TO**  
**THE GOVERNOR AND THE GENERAL ASSEMBLY**  
**OF VIRGINIA**

Richmond, Virginia, October 21, 1965

To:

HONORABLE A. S. HARRISON, JR., *Governor of Virginia*

and

THE GENERAL ASSEMBLY OF VIRGINIA

The General Assembly of Virginia in 1964 created a Commission to study and report on the true and correct boundary between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina.

The act creating the Commission was as follows :

**CHAPTER 229**

An Act to create a Commission to study and report on the boundary line between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina ; and to appropriate funds for the use of the Commission.

Approved March 31, 1964

Be it enacted by the General Assembly of Virginia :

1. § 1. There is hereby created a Commission to study and make a report on the true and correct boundary between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina. All agencies of the State shall assist the Commission and the Commission shall cooperate with any Commission established for a like purpose by the State of North Carolina. The Commission shall complete its study and make its report to the Governor and General Assembly not later than October one, nineteen hundred sixty-five.

§ 2. The Commission shall consist of two members who shall be appointed by the Governor from the State at large. The members of the Commission shall receive no compensation, but shall be reimbursed for their actual and necessary expenses while engaged in the business of the Commission.

2. There is hereby appropriated from the general fund of the State treasury the sum of two thousand dollars to carry out the purposes of this act.

Pursuant to this act, the Governor appointed Colonel Samuel W. Dobyns, Professor of Civil Engineering, Virginia Military Institute, Lexington, as Chairman of the Virginia Commission and John W. Parsons, Attorney at Law, Galax, as the other Virginia member.

Ray B. Brady, Assistant Attorney General, and Philip C. Doran, Director, North Carolina Geodetic Survey, Raleigh, were appointed to represent the State of North Carolina by the Honorable Terry Sanford, then Governor of North Carolina. John B. Boatwright, Jr. and G. M. Lapsley served as staff to the Virginia Commissioners.

Your Commissioners met with the Commissioners from North Carolina in Richmond, Virginia, on 18 February, 1965. After due notice was given to the public through newspapers and correspondence with interested individuals, public hearings were held in Galax, Virginia, in Carroll and Grayson Counties, Virginia, on 2 April, 1965, and in Sparta, North Carolina, in Alleghany County, North Carolina, 3 April, 1965. Your Commissioners met again in Raleigh, North Carolina, with the Commissioners from North Carolina on 25 June, 1965.

Since the Virginia-North Carolina State Boundary Line as shown on the map prepared in 1751 by Joshua Fry and Peter Jefferson follows closely the natural water course of New River and thence to Pond Mountain, commonly accepted as the boundary by governments and private citizens, your Commissioners proceeded to ascertain as nearly as possible within the budgetary limitations imposed by the act the description of that portion of the Virginia-North Carolina State Boundary between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina.

Photography of the area was obtained from the U. S. Geological Survey, the Appalachian Power Company, and the Virginia Department of Highways, with horizontal control for surveys in conjunction with the mapping of the area by the U. S. Geological Survey. A mosaic of aerial photographs of the area was prepared and all information obtained by the Commission was marked thereon. A copy of this is attached to this report as Exhibit 1.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

On the basis of historical records, testimony at public hearings, surveys and maps of the U. S. Coast and Geodetic Survey, the U. S. Geological Survey, the Virginia Department of Highways, the North Carolina State Highway Commission, Carroll and Patrick Counties, and the Appalachian Power Company, existing aerial photography from the U. S. Geological Survey, the Virginia Department of Highways and the Appalachian Power Company, new aerial photography obtained for the Commission by the Virginia Department of Highways, and visits to the marked boundary at various locations, the physical evidence and legal records pertaining to

the boundary were evaluated by the Commission in cooperation with the Commission established for the like purpose by the State of North Carolina. The boundary as so determined is described in § 8 of the bill which is attached as Appendix I to this report.

The Commission recommends the establishment and monumenting of the State Boundary Line between Virginia and North Carolina, and appends a bill to carry the recommendations into effect.

## HISTORICAL BACKGROUND

The true and correct boundary between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina, is included in the survey of 1749 by “(Colonel) Joshua Fry and (Colonel) Peter Jefferson, commissioners from Virginia, together with”<sup>9</sup> William Churton and David Weldon from North Carolina, of “the Line between Virginia and North Carolina from Peters Creek (in what is now Patrick County, Virginia, and Stokes County, North Carolina) to Steep Rock Creek (now Green Cove Creek in what is now Washington County, Virginia) being 90 Miles and 280 Poles (4,620 feet).”

Though the acts of 1749 do not record the appointment of the Commission the Acts of 1778<sup>10</sup> providing for a commission to extend and mark the line recognizes their work. (See § 7-3, Code of Virginia.)

This survey was drawn by the surveyors on “A Map of the Inhabited part of Virginia . . . in 1751 . . . Engraved and Published according to Act of Parliament by Thomas Jefferys, Geographer to His Royal Highness the Prince of Wales at the Corner of St. Martin’s Lane, Charing Cross, London,” copy of which is at the Alderman Library of the University of Virginia.<sup>11</sup>

Thomas Jefferson, the son of Colonel Peter Jefferson, in his Memoir recalled that his father “was chosen, with Joshua Fry, Professor of Mathematics in William and Mary College, to run the boundary-line between Virginia and North Carolina which had been begun by Colonel Byrd . . . was afterward employed with the same Mr. Fry to make the first map of Virginia.”<sup>12</sup>

On this map of 1751 Joshua Fry and Peter Jefferson noted “The Line between Virginia and North Carolina from the Sea to Peters Creek was surveyed in 1728 by the Honorable William Byrd, William Dandridge, and Richard Fitzwilliams, Commissioners and Mr. Alexander Irvine and Mr. William Mayo, Surveyors.”<sup>11</sup>

Mr. Justice Field, in his Opinion, 3 April, 1893, in the matter of *Virginia vs. Tennessee*, in giving “a brief history of preceding measures . . . with reference to the charters and legislation under which they were taken,”<sup>7</sup> reviewed the charters from the English government and these surveys made under them; then on the constitution of the new independent state, adopted 29 June 1776, Justice Field continued, “On the 6th of May, 1776, the State of Virginia, in a general convention, with that generous public spirit which on all occasions since has characterized her conduct in the disposition of her claims to territory under different charters from the English government, had declared that the territories within the charters erecting the colonies of Maryland, Pennsylvania, North Carolina and South Carolina were thereby ceded and forever confirmed to the people of those colonies respectively.”<sup>7</sup>

The constitution of North Carolina, adopted in 1776, defines the northern boundary as "the southern line of the State of Virginia, which begins on the sea shore, in thirty-six degrees thirty minutes north latitude, and from thence runs west, agreeable to the said Charter of King Charles,"<sup>1</sup> (24 March 1663 and 30 May 1665).

The present constitution of North Carolina states (Article 1, Section 34): "The limits and boundaries of the state shall be and remain as they now are."<sup>13</sup>

The Virginia-Tennessee Boundary Line, though not directly pertaining to this study, has been "surveyed and marked with great care by the commissioners,"<sup>7</sup> established and ratified by acts of the legislatures of both States in 1803 with the implied consent of Congress, and in 1901 with the consent of Congress by joint resolution and decreed by the opinions of the U. S. Supreme Court (148 U. S. 528), 3 April 1893,<sup>7</sup> and (190 U. S. 65-67), 1 June 1903,<sup>8</sup> which said opinion was adopted by the Virginia General Assembly (§ 7-4, Code of Virginia).

The Commissioners of the U. S. Supreme Court, William C. Hodgkins of Massachusetts, Chairman, James B. Baylor of Virginia, Secretary, and Andrew H. Buchanan of Tennessee, Treasurer, were unable to find any marks east of Burnt Hill at the Northeast corner of Tennessee on a line between White Top Mountain in Virginia and Pond Mountain at the Northwest corner of North Carolina and recommended "that the straight line between these two points be declared to be the boundary, believing as they do in the absence of any marks to the contrary, that this was the original and true line"<sup>7</sup> between Virginia and Tennessee, as established by the Commissioners of Virginia and Tennessee in 1802, General Joseph Martin, Creed Taylor, and Peter Johnson for Virginia, and Moses Fisk, General John Sevier, and General George Rutledge, for Tennessee, and surveyed by the surveyors duly appointed for that purpose, Brice Martin and Nathan B. Markland.

In 1856, Virginia passed an act to again run and mark the line marked by the Commissioners in 1802, Tennessee responded and the line was re-marked in 1858 and 1859. The legislature of Tennessee approved of the action of the Commissioners, but Virginia withheld her approval.<sup>8</sup>

In the words of the Commissioners of 1802, they "not uniting, from the general results of their astronomical observations to establish either of the former lines called Walker's and Henderson's, unanimously agreed, in order to end all controversy respecting the subject, to run a due west line, equally distant from both, beginning on the summit of the mountain generally known by the name of White Top Mountain where the Northeast corner of Tennessee terminates."<sup>8</sup>

This summit has been established as being on Burnt Hill.

The point of beginning in 1779 of the Commissioners, Thomas Walker and David Smith of Virginia, appointed under the act of the Assembly in 1778,<sup>10</sup> with Colonel Henderson and others from North Carolina is not conclusively described by the Commissioners, but has been established and ratified by the General Assembly (§ 7-4, Code of Virginia) as being on Pond Mountain.

In their report filed in the clerk's office of the House of Delegates, among the Governor's Communications, 1780, the Commissioners Walker and Smith reported the controversy between them and the North Carolina Commissioners, since "the place where Messrs. Fry and Jefferson



ended their line, on Steep Rock Creek, could not be found, owing, we suppose, to so much of the Timber thereabout being since dead.”

## CONCLUSIONS AND RECOMMENDATIONS

The Commission finds that the position of the State Boundary Line between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina, as “so run by Fry and Jefferson, and afterwards extended by Walker and Smith” and so declared to constitute “the boundary line between Virginia and North Carolina” (§ 7-3, Code of Virginia) is not conclusively described and therefore cannot be identified therefrom. Without monuments or descriptions from these surveys, existence of commonly accepted property lines and state highway markers over a period of years which have been “recognized and acquiesced in by the parties for a long course of years”<sup>7</sup> is the only evidence of the true and correct boundary.

The monumenting of the State Boundary Line, with geographical coordinates of longitude and latitude, and with Plane Coordinates in feet and meters on the State Coordinate System of each state, as well as with metes and bounds, is considered essential to the establishment of the State Boundary Line, and such monument is prescribed in Exhibit 2.

The cost of establishing monuments was studied and the estimated cost of establishing monuments at not more than one mile intervals was determined to be \$1,500.00 per mile. On this basis, for 335 miles of boundary, the sum of \$250,000 was computed as the equal share of the cost to be borne by each state.

Since the establishment of State Boundaries is essential for harmonious and efficient operations of governments and since the economic development of the area portends greater need for established boundary markers, and since the Virginia-North Carolina Boundary as adopted (§ 7-3, Code of Virginia) has never been marked and ratified, your Commission in cooperation with the Commission established for a like purpose by the State of North Carolina, recommends:

## RECOMMENDATIONS

1. That the true and correct boundary between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina, be established, surveyed, monumented, and described with geographic coordinates of longitude and latitude, plane coordinates of the Virginia Coordinate System, South Zone, in feet and in meters, plane coordinates of the North Carolina Coordinate System, metes and bounds, to conform with the State Boundary Line set forth in Exhibit 1 of this report, with monuments conforming to that shown in Exhibit 2 of this Report, set at intervals of not more than one mile, except over bodies of water, both buried and on the surface.

2. That a Commission be created to ascertain, retrace, adjust, re-survey, remonument, and re-establish, subject to ratification by the General Assembly the real, certain and true boundary line between the States of Virginia and North Carolina, from the outer banks of Currituck Sound on the Atlantic Ocean to the Tennessee line, to cooperate with any Commission established for a like purpose by the State of North Carolina, and to report to the Governor and General Assembly not later than two years after the effective date of the act creating the same.

3. That the Commission have the authority to adjust the State Boundary Line in such a way as not to affect the citizenship of any individual living on or near the Line.

4. That all claims or titles to lands affected by the adjustment and establishment of the line shall be decided in favor of the oldest title, whether derived from this Commonwealth or from the State of North Carolina.

5. That the expenses of the Commissioners and expenditures attendant upon the discharge of their duties together with all costs to be taxed be equally divided between the States of Virginia and North Carolina.

6. That the members of the Commission shall be compensated for their services in the amount of fifty dollars each per day while engaged in the business of the Commission.

7. That the members of the Commission shall be reimbursed their actual and necessary expenses while engaged in the business of the Commission.

8. That the sum of two hundred and fifty thousand dollars be appropriated to carry out these purposes.

9. That the Virginia Highway Commission, or its agent, in cooperation with the Coast and Geodetic Survey, Environmental Science Services Administration, U. S. Department of Commerce, be authorized to make the surveys, computations, photographs, maps and monuments required by the Commission, and maintain them for the Commonwealth.

10. That the State Boundary Line as established, laid down, fixed and ascertained by the Commission, be fully and absolutely, to all intents and purposes whatsoever, described, ratified, established and confirmed on the part of the Commonwealth by an act of the General Assembly, as the true, certain and real boundary line between the States.

Your Commission proceeded to the drafting of a bill to carry these recommendations into effect and appends such bill hereto.

#### ACKNOWLEDGEMENTS

Photography of the area was furnished by the Geological Survey of the U. S. Department of Interior, the Virginia Department of Highways and the Appalachian Power Company.

Topographic maps and control surveys were furnished by the Division of Mineral Resources of the Department of Conservation and Economic Development and the Geological Survey of the U. S. Department of Interior.

County highway maps were furnished by the Virginia Department of Highways and Property Maps were furnished by the Appalachian Power Company, showing the proposed water line for their upper New River Project in the area.

Mr. L. E. Marsden, District Engineer, and C. W. Nottage of the U. S. Geological Survey, secured from the Library of Congress U. S. Reports, Vol. 148, pages 503 to 528, and Vol. 190, pages 64 to 88, and the Geological Survey Bulletin 817, "Boundaries, Areas, Geographic Centers and Altitudes of the United States and the Several States," and gave much time

to the Commission in connection with the topographic mapping at present being done in the area for the Virginia Department of Highways.

The Virginia State Planning Board Memorandum on the Virginia-North Carolina Line prepared by Charles J. Calrow and M. M. Sutherland in 1939 was furnished by Mr. Sutherland and proved most helpful.

Specific acknowledgement is made of the services of the following: C. F. Fuechsal, Atlantic Regional Engineer, L. E. Marsden, District Engineer, Tony Malva Gomes and C. W. Nottage of the U. S. Geological Survey, Donald E. Lee, National Park Service, Sam P. Weems, Blue Ridge Parkway, A. K. Hunsberger, P. B. Coldiron and S. D. Tombs of the Virginia Department of Highways, R. B. Sinclair and Roy E. Martin of the Appalachian Power Company, John B. Boatwright, Jr., G. M. Lapsley, W. S. Kincheloe, Jr. and Robert L. Masden of the Division of Statutory Research and Drafting of the Commonwealth, and Marcus C. Elcan, Jr., Editor, The Iron Worker, Lynchburg Foundry Co. Division of Woodward Iron Co., and each one who presented information at the public hearings.

The cordial cooperation of the Commissioners appointed to represent the State of North Carolina, the Honorable Ray B. Brady and the Honorable Philip C. Doran, with their staff, P. H. Icenhour and L. H. Corbett, Jr., Staff Counsel, Attorney General of North Carolina, is gratefully acknowledged.

The work proceeded with the active support of the Honorable Terry Sanford, formerly Governor of North Carolina, and the Attorney General of North Carolina, the Honorable Thomas Wade Bruton.

Grateful acknowledgement is given the Honorable Albertis S. Harrison, Jr., Governor of the Commonwealth, for his support of the Commission.

Respectfully submitted,

SAMUEL W. DOBYNS

JOHN W. PARSONS

Commissioners

## APPENDIX I

*A BILL to create a Commission to ascertain, retrace, adjust, resurvey, remonument, re-establish and make a report on the real, certain, true and correct boundary line between Virginia and North Carolina; to provide for the effect of this bill as to certain rights and certain prosecutions; and to appropriate funds for the use of the Commission.*

Whereas, the Commissioners appointed on behalf of the Commonwealth of Virginia to study and make a report on the true and correct boundary between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina, have completed their investigation and have agreed upon the boundary line hereinafter described, in co-operation with the Commission established for a like purpose by the State of North Carolina; and

Whereas, the true and correct boundary between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina, is a part of the boundary line between Virginia and North Carolina, surveyed by Joshua Fry and Peter Jefferson, Commissioners from Virginia, together with William Churton and Daniel Weldon from North Carolina, in 1749; which boundary line is an extension of the boundary line surveyed in 1728 by William Byrd, William Dandridge and Richard Fitzwilliams, Commissioners, and Alexander Irvine and William Mayo, Surveyors; and

Whereas, the western corner of the boundary between Virginia and North Carolina was established in the case of *Tennessee vs. Virginia* (190 U. S. 64) and twenty-eight monuments established on the boundary between Virginia and North Carolina in 1888 by S. P. Read and J. W. Hendricks were rejected by Act of the General Assembly of Virginia in 1897 (p. 455), and the appointment of a new Commission was authorized by the aforesaid Act, now, therefore,

Be it enacted by the General Assembly of Virginia:

1. §1. There is hereby created the Virginia Boundary Commission to meet and act in conjunction with such commissioners as are or may be appointed by the State of North Carolina to settle and adjust all differences concerning the boundary line between Virginia and North Carolina, to ascertain, retrace, adjust, resurvey, remonument, re-establish and make a report on the real, certain, true and correct boundary between the aforesaid states, from the outer banks at Currituck Sound on the Atlantic Ocean to the Tennessee line.

§ 2. The Commission shall consist of three members, who shall be appointed by the Governor from the State at large. At least one of the members shall be a certified land surveyor holding a valid certificate to practice in the Commonwealth. The members of the Commission shall be compensated for their services in the amount of fifty dollars each per day while engaged in the business of the Commission; and shall be reimbursed for their actual and necessary expenses while engaged in the business of the Commission.

§ 3. The Virginia State Highway Commission, or its agent, in co-operation with the United States Coast and Geodetic Survey, Environmental Science Services Administration, United States Department of Commerce, is authorized to make the surveys, computations, photographs, maps and monuments required by the Commission and maintain them for the Commonwealth. The Division of Statutory Research and Drafting

shall be the administrative agent of the Commission and all agencies of the State shall assist the Commission on its request.

§ 4. The Commission shall adjust the boundary line in such a way as not to affect the citizenship of any individual residing on or near the said line.

§ 5. No vested right of any individual, partnership or corporation within the territory affected by this act shall in any wise be impaired, restricted or affected by this act. This act shall not be retrospective in its operation nor shall it in any way affect the rights of any individual, partnership or corporation in any suit now pending in any of the courts of this State or of the United States wherein said cause of action arose over, or is in any way based upon, the territory affected. This act shall in no wise preclude the Commonwealth of Virginia from prosecuting any individual, partnership or corporation for violation of any of the criminal laws of this State within said territory until this boundary line is ratified by act of the General Assembly.

§ 6. All claims or titles to lands affected by the adjustment and establishment of the line shall be decided in favor of the oldest title, whether derived from this Commonwealth, or from the State of North Carolina.

§ 7. The acts of all public officers, whether magistrates, sheriffs, coroners, surveyors or constables, heretofore done or performed in that portion of the State of North Carolina which said lands by the adjustment and establishment of the line aforesaid may fall into this State, and which would have been legal if done or performed in the State of North Carolina shall be recognized and confirmed.

§ 8. The boundary line between Carroll and Grayson Counties, Virginia, and Surry and Alleghany Counties, North Carolina, shall be as follows, until otherwise established as provided by law :

Beginning at a point in the Surry County, North Carolina line, common to Patrick County and Carroll County, Virginia, in the center line of Virginia Secondary Route Number 679 at its intersection with North Carolina Route Number 1717, known as Ward's Gap Road; 22.40 feet east of United States Geological Survey (hereinafter referred to as U.S.G.S.) Station Number 3880, standard tablet stamped "TT 89 T 1939" in 8" concrete post, 60 feet N and 48 feet W of fork of road, being third-order horizontal control on line 1, Mount Airy Quadrangle, longitude  $80^{\circ} 36' 44.93''$  W, latitude  $36^{\circ} 33' 28.93''$  N, Virginia Coordinate System South Zone (hereinafter designated Va. S)

X=1,379,544                      Y=88,753

North Carolina Coordinate System Zone One (hereinafter designated N.C. One)

X=1,526,338                      Y=1,025,881

with a geographic azimuth to E gable of house 1,000 ft. distant:  $67^{\circ} 28' 51''$ , and a geographic azimuth to S gable of house 900 ft. distant:  $135^{\circ} 14' 36''$ , (Station 1) ; thence westwardly on a straight line 22.40 feet to the aforesaid U.S.G.S. Station Number 3880, Line Number 1, Mount Airy Quadrangle stamped "TT 89 T 39" (Station 2) ; thence westwardly in a straight line to U.S.G.S. Station Number 3863, Line 1, Mount Airy Quadrangle Lovills Creek, a blazed 14-inch sycamore tree on E side of creek and in line with fence line W,

Va. S.                      X=1,373,478                      Y= 89,013

N. C. One                      X=1,520,270                      Y=1,026,104

longitude 80° 37' 59.33" W, latitude 36° 33' 30.16" N, (Station 3); thence westwardly in a straight line to U.S.G.S. Station Number 3851, Line 1, Mount Airy Quadrangle U.S.C. and G.S. standard disk stamped "C 32 1933," in E face of concrete base of granite state line marker, 18 feet W of centerline of road U. S. Highway 52,

Va. S.	X=1,367,463	Y= 90,201
N. C. One	X=1,514,252	Y=1,026,449

longitude 80° 39' 13.14" W, latitude 36° 33' 32.57" N (Station 4); thence westwardly to Va. Secondary Route 831 at its junction with North Carolina Route 1627, at the end of pavement in 1965 (Station 5); thence westwardly in a straight line to U.S.G.S. Station Number 3827, Line 1, Mount Airy Quadrangle, 4-inch drill hole, at large rock outcrop at Paul's Creek, W of 16-inch pot hole in large rock outcrop, about 50 feet N of 18-foot perpendicular rock 30 feet long across bed of Paul's Creek,

Va. S.	X=1,354,902	Y= 90,741
N. C. One	X=1,501,682	Y=1,027,718

longitude 80° 41' 47.43" W, latitude 36° 33' 43.03" N (Station 6); thence westwardly in a straight line to U.S.G.S. Station Number 3815, Line 1, Mount Airy Quadrangle standard tablet stamped "TT 88 T 1939" in concrete post, 20 feet W of centerline of Virginia Secondary Route No. 620 known as Pipers Gap Road at its junction with North Carolina Route Number 1624, 4.1 miles SE of Lambsburg,

Va. S.	X=1,352,435	Y= 90,884
N. C. One	X=1,499,214	Y=1,027,845

longitude 80° 42' 17.70" W, latitude 36° 33' 43.87" N (Station 7); thence westwardly in a straight line to a point about 200 feet south of the intersection of Virginia Secondary Route Number 842 with Virginia Secondary Route Number 774 on Virginia Secondary Route Number 774 at its junction with North Carolina Route Number 1623 (Station 8); thence westwardly in a straight line to a point on Virginia Secondary Route Number 694 at its junction with North Carolina Route Number 1649, north of North Carolina State Highway Commission Station 40-JS-45, 1964, at a large oak tree marked "Carroll Co., Va., Surry Co., N. C." on a sign nailed to tree and mailbox (Station 9); thence westwardly in a straight line to a point on Virginia Secondary Route Number 695, about 2.3 miles S of Lambsburg at its junction with North Carolina Route Number 1396, a state line marker in a concrete post, about 60 feet SW of U.S.G.S. Station Number 30, Line 6, Galax Quadrangle, a standard tablet stamped "TT 1 TWC 1955," 12 feet E of centerline of road, 7 feet S of SW fence corner, with coordinates

Va. S.	X=1,332,492	Y= 90,725
N. C. One	X=1,479,271	Y=1,027,563

longitude 80° 46' 20.34" W, latitude 36° 33' 37.62" N (Station 10); thence westwardly in a straight line to a concrete post, marked "VHC," E of Virginia Secondary Route Number 696 at its junction with North Carolina Route Number 1603 (Station 11); thence westwardly in a straight line to U.S.G.S. Station Number 62, Line 2, Galax Quadrangle, standard tablet stamped "TT 9 W 1930" in large boulder, South of Blue Ridge Parkway, 24 feet S of U.S.G.S. Station Number 61, Line 2, Galax Quadrangle, "Fisher Peak Lookout Tower ET 1963",

Va. S.	X=1,317,620	Y= 90,812
N. C. One	X=1,464,397	Y=1,027,557

on Fisher's Peak (1877), U.S.C. & G.S. longitude 80° 49' 24.43" W, latitude 36° 33' 34.22" N, 303,801 feet (92,598.7 meters) with geographic azimuth 350° 06' 32" to YOUNG (1876), and 211,030 feet (64,322.2 meters) with geographic azimuth of 27° 50' 32" to POORE (1876; r. 1907), said standard tablet in large boulder having coordinates

Va. S.	X=1,317,626	Y= 90,789
N. C. One	X=1,464,403	Y=1,027,534

with Grid Azimuth to Camp Zion Church spire of 130° 51' 44", Grid Azimuth to Buffalo Mountain Lookout Tower, 25.2 miles distant, of 231° 05' 55", and Grid Azimuth to Graystone Inn, Water Tank, 12.7 miles distant, of 39° 44' 20" (Station 12); thence westwardly in a straight line to a point on the Surry County, North Carolina boundary line, common to Carroll and Grayson Counties, Virginia a soapstone marker inscribed "C and G" "Grand C" (Station 13; thence westwardly in a straight line to a point on Virginia and North Carolina Primary Route Number 89, near a concrete marker marked "VSHC," west of said route (Station 14); thence westwardly in a straight line to a point in the Grayson County, Virginia, line, common to Surry and Alleghany Counties, North Carolina, (Station 15); thence westwardly in a straight line to a point on the Blue Ridge Parkway, .88 mile south of mile 216 marker and .12 mile north of mile 217 marker between corners 98 and 99 (N 88° 12' W, 1209.03 feet) (Station 16); thence westwardly in a straight line to a point on Virginia Secondary Route Number 613 at its junction with North Carolina Route Number 1442, south of the intersection of Virginia Secondary Route Number 615, North of Edmonds, North Carolina, 70 feet N of and 80 feet E of U.S.G.S. Mark, in Galax Quadrangle, Edmonds, a standard tablet stamped "N 16 1930" in a rock ledge, NW of NW corner of store of S. T. Sharpe, said standard tablet having coordinates

Va. S.	X=1,282,021	Y= 92,788
N. C. One	X=1,428,783	Y=1,029,310

and longitude 80° 56' 41.06" W, latitude 36° 33' 45.54" N (Station 17); thence westwardly in a straight line to a concrete post with three sides E of Virginia Secondary Route Number 624 at its junction with North Carolina Route Number 1441 (Station 18); thence westwardly in a straight line to a point in the Appalachian Power Company Parcel Number (APC) 1009, Lonnie C. McMillan, DB 74 P 31, common to APC 371 Montague T. Rector, DB 106, P13, and APC 1010, M. T. Rector, DB 63, P334, which said point is above 2,500 foot high water line of the Appalachian Power Company Upper New River Project, SE of U.S.G.S. Mark in Independence Quadrangle, 3.0 miles S of Baywood, standard tablet stamped "TT 7 W 1930" in rock ledge, 6 feet S and 45 feet E of NE corner of Collins Mill on Little River, about .2 miles (1056 feet) N of N. C.-Va. state line, with coordinates

Va. S.	X=1,261,801	Y= 95,558
N. C. One	X=1,408,544	Y=1,031,952

longitude 81° 00' 49.70" W, latitude 36° 34' 07.67" N, east of Virginia Secondary Route 627, east of Little River, (Station 19); thence westwardly in a straight line to a point, above 2,500-foot elevation in the west bend of Little River, on line with the previous line 18 to 19 extended within APC 1004, Arthur Shaw, DB 65, P97, being west and south of a commonly accepted offset in the boundary line, which said offset lies on the west bank of Little River where it flows southeastwardly in a bend and will be under water of the APC Upper New River Project, (Station

20) ; thence westwardly in a straight line to a point on the ridge west of Little River on the commonly accepted boundary line between APC 334 in Virginia, Q. R. Willey, DB 124, P116, and APC 1001 in North Carolina, (Station 21) ; thence westwardly in a straight line to a point on Virginia Secondary Route Number 626, at its junction with North Carolina Route Number 1412, about 400 feet S of the intersection of Virginia Secondary Route 622 bounding John McLain in Virginia and Oliver Brown, WB-B, P-501, in North Carolina (Station 22) ; thence westwardly to U.S.G.S. mark 933+ in Independence Quadrangle, "Copper nail in triangle on 36-inch gum tree which marks Virginia-North Carolina state line," longitude  $81^{\circ} 02' 42.2''$  W, latitude  $36^{\circ} 33' 59.4''$  N, (Station 23) ; thence westwardly in a straight line to corner of APC 348, Reese Caudell, DB 105, P499, in Virginia, and Page Evans, DB 47, P539, DB 69, P618, DB 126, P109, in North Carolina (Station 24) ; thence westwardly in a straight line to corner of APC 352, Lester Cox, DB 74, P439, and APC 348, Reese Caudell, DB 105, P499 (Station 25) ; thence westwardly in a straight line to a point on Virginia Secondary Route Number 627 at its junction with North Carolina Route Number 1411 in line of APC 352, Lester Cox, DB 36, P292, DB 44, P18, (Station 26) ; thence westwardly in a straight line to corner of APC 352, Lester Cox, DB 47, P309, and APC 350, Ray Maines, DB 111, P184, (Station 27) ; thence westwardly in a straight line to a point on Virginia Secondary Route Number 628 at its junction with North Carolina Route Number 1407, corner of APC 350, Ray Maines, DB 111, P184, and APC 353, Bobbie Dean Truitt, DB 122, P105 (Station 28) ; thence westwardly in a straight line to corner of APC 351, Eltie Richardson, DB 124, P118, and Elmer Blevins DB 76, P76, (Station 29) ; thence westwardly with line of Elmer Blevins to a point in undeveloped roadway west of pond, (Station 30) ; thence westwardly on a straight line to corner of APC 357, Samuel Bryan Cox, DB 70, P441, DB 75, P80 in Virginia, and APC 927, Edwin Maines, DB 89, P281 in Virginia, and APC 927, Edwin Maines, et al., DB 72, P419, and APC 929, Brady Crouse, DB 47, P521, in North Carolina, (Station 31) ; thence westwardly in a straight line to corner APC 385, Pearl C. Woodruff, DB 62, P12 in Virginia and APC 937, Pearl C. Woodruff, et al., DB 37, P306 in North Carolina, and APC 938, George R. Crouse, Jr., et al., Will B-D, P143, in North Carolina and Virginia, said line being over land less than 2,500-foot elevation, below the proposed high water level of the Appalachian Power Company Upper New River Project, and being south of the commonly accepted offset in the boundary line at the south bank of New River near Virginia Secondary Route Number 629 at its junction with North Carolina Route Number 1407, in the land of Pearl C. Woodruff, et al., (Station 32) ; thence westwardly in a straight line to a point on Virginia Secondary Route Number 784 at its junction with North Carolina Route Number 1402 (Station 33) ; thence westwardly in a straight line crossing New River, through APC 685, Willard H. Reeves, DB 65, P379 in Virginia and APC 901, Willard H. Reeves, DB 42, P318, in North Carolina, crossing New River and U. S. Highway 21, to a point in the line common to APC 393, Floyd Boyer, Jr., DB 120, P165, in Virginia and APC 950, Dick Doughton, et al., DB 52, P203, in North Carolina, said point being above the 2,500-foot high water elevation, west of North Carolina Route 1347 which is west of U. S. 21 (Station 34) ; thence westwardly in a straight line, crossing New River to corner of APC 726, G. C. Crouse, DB 55, P386, in Virginia and APC 902, G. C. Crouse, DB 54, P278, in North Carolina, west of New River, (Station 35) ; thence with said line of G. C. Crouse, westwardly through four corners in said line (Station 36, 37, 38 and 39) to corner in said line, common to APC 851, John Rex Boyer, et al., DB 94, P262, in Virginia (Station 40) ; thence with said line common to Crouse and Boyer through one corner (Station 41) to corner in said line, common



to M. E. Church-South, DB 31, P197, (Station 42); thence with line common to M. E. Church-South in Virginia and G. C. Crouse, in North Carolina southwardly to corner in said line (Station 43); thence westwardly along said line beyond corner in said line to a point on Virginia Secondary Route 700, south of intersection, at its junction with North Carolina Route Number 1342 (Station 44); thence westwardly to U.S.G.S. Mark in Independence Quadrangle 8191, "Nail in triangle blazed on chestnut tree 4.5-feet in diameter," longitude  $81^{\circ} 10' 14.6''$  W, latitude  $36^{\circ} 34' 14.9''$  N (Station 45) thence westwardly to U.S.G.S. Mark in Independence Quadrangle 8185+, "Nail in triangle blazed on white oak tree 3-feet in diameter," longitude  $81^{\circ} 10' 37.0''$  W, latitude  $36^{\circ} 34' 18.3''$  N (Station 46); thence westwardly to a point in the line of APC 728, J. Carl Cox, WB 14, P170, DB 42, P382, in Virginia and APC 909, J. Carl Cox, DB 53, P54, in North Carolina, above 2,500-foot elevation, east of corner common to APC 730, R. L. Roberts, Heirs c/o Kyle Delp, DB 48, P87, east of New River (Station 47); thence westwardly, crossing New River to a point in the line of APC 402, Munsey F. Cox, DB 127, P4, in Virginia, and APC 976, Millard Phipps, DB 34, P324, in North Carolina, above 2,500-foot elevation (Station 48); thence westwardly in a straight line crossing Virginia Secondary Route Number 708 at its junction with North Carolina Route Number 1340, 50 feet N of sign to corner common to APC 403, Millard Phipps, DB 104, P301 in Virginia, APC 976, Millard Phipps, DB 62, P332, and APC 989, Lennie Anders, DB 62, P336 in North Carolina, (Station 49); thence westwardly in a straight line to corner common to APC 406, Troy C. Black, DB 40, P349, APC 407, J. R. Walls, DB 109, P136, in Virginia, and APC 991, Jesse Mack Osborne, DB 69, P22, in North Carolina (Station 50); thence westwardly in a straight line to a point on Virginia Secondary Route Number 709 at its junction with North Carolina Route Number 1339, in west line of APC 407, J. R. Walls, DB 109, P136, and APC 993, J. R. Walls, DB 65, P74 in North Carolina (Station 51); thence westwardly in a straight line to a point on Virginia Secondary Route Number 707 at its junction with North Carolina Route Number 1338 (Station 52); thence westwardly in a straight line to a point on Virginia Secondary Route Number 710 at its junction with North Carolina Route Number 1337 in line of APC 429, W. A. Neaves, DB 92, P348 in Virginia (Station 53); thence westwardly with south line of APC 429, W. A. Neaves, to a point on North Carolina Route Number 1318 at corner of said APC 429, common to APC 996, Dallas Parsons, DB 62, P256, in North Carolina (Station 54); thence with line of said APC 429 and APC 996 to corner common to APC 448, Kathleen P. Osborne, DB 80, P168, on Virginia Secondary Route Number 712 at its junction with North Carolina Route Number 1318 (Station 55); thence with line of said APC 448, Kathleen P. Osborne, in Virginia and APC 996, Dallas Parsons and APC 997, Kathleen P. Osborne, DB 71, P49, in North Carolina, to corner of said APC 448 and APC 997, Kathleen P. Osborne, common to APC 447, A. M. Phipps, et. al., DB 122, P51, in Virginia (Station 56); thence westwardly to a point on Virginia Primary Route Number 93 at its junction with North Carolina Route Number 113 (Station 57); thence westwardly in a straight line to SE corner of APC 439, W. M. Paisley, DB 82, P56, in Virginia (Station 58); thence westwardly to SW corner of APC 440, Opal C. Halsey, DB 108, P370, common to APC 442, Sue M. Smith, DB 96, P193, in Virginia and APC 1071, James V. Smith, DB 54, P546, in North Carolina (Station 59); thence westwardly in the line of said APC 1071 with APC 442, crossing New River in the line of said APC 1071, with APC 443, G. W. Kernodle, et. al., DB 39, P226 and 224, in Virginia, to corner of said APC 1071, with APC 1071, James V. Smith, DB 61, P269, in North Carolina, common to APC 837, Winnie G. Halsey, DB 38, P413, west of New River (Station 60); thence westwardly in

line of said APC 1071, James V. Smith, DB 61, P269, in North Carolina, with said APC 837, Winnie G. Halsey, DB 38, P412, to corner common to Maude S. McMillan, DB 110, P254, on Virginia Secondary Route Number 716 at its junction with North Carolina Route Number 1313 (Station 61); thence westwardly to SW Corner of APC 836, Glenn Halsey, DB 104, P213, on Virginia Secondary Route Number 718, at its junction with North Carolina Route Number 1310 (Station 62); thence westwardly on a straight line to a point in the Grayson County, Virginia, line, common to Alleghany County and Ashe County, North Carolina, (Station 63), said point, being about four hundred feet East of a point in the Grayson County, Virginia, and Ashe County, North Carolina, line on a private road about six hundred feet south of Virginia Secondary Route Number 767 (Station 64), and about eighteen miles East of the U. S. Coast and Geodetic Survey Second Order Triangulation Station "North Carolina Corner (Ashe County, N. C., Grayson County, Va., Johnson County, Tenn. A.H.B., 1894; 1934),"

Va. S.	X=1,067,171.34	Y= 108,437.59
N. C. One	X=1,213,815.03	Y=1,043,564.93
Tenn.	X=3,268,717.25	Y= 827,416.11

longitude 81° 40' 39.399" W, latitude 36° 35' 16.967" N (Station 65), established by decree of the U. S. Supreme Court (190 U.S.64-88) and ratified by the General Assembly of Virginia, (§ 7.4, Code of Virginia).

The stations referred to in the above description may be indentified on drawings and aerial photographs on file, with copy of this description, in the Archives Division of the Virginia State Library.

§ 9. The Commission is hereby directed, in cooperation with a like Commission created by the State of North Carolina, or other agency designated by the State of North Carolina for the purpose, to erect permanent markers designating all points on the real, certain, true and correct boundary line where there is a change in direction of the said line and at intermediate points on the said line no farther apart than one mile, except over bodies of water. The permanent markers shall consist of bronze disks four inches in diameter, with a triangle cast in the center, one-half inch on each side, with the word, "VIRGINIA" cast inside the circumference around a vertex of the triangle and the words, "NORTH CAROLINA" cast inside the circumference around the base of the triangle opposite, one such disk to be placed underground, imbedded in concrete, if conditions permit, and one such disk, embedded in a granite or concrete post, seven inches square, four and one-half feet long, with three and one-half feet underground where conditions permit, or embedded in a large boulder or bedrock where such boulder or bedrock extends more than three and one-half feet below the surface. The north face of each such post shall be marked with the letter, "V", chiseled in the side of the post and the south face of such post shall be marked with the letters, "NC", chiseled in the opposite side of the post. It shall be a misdemeanor to mar, move, remove or destroy any permanent marker set by the Commission. The position of each permanent mark shall be established and described with geographic coordinates of longitude and latitude, with plane coordinates of the Virginia Coordinate System, South Zone, in feet and in meters, with plane coordinates of the North Carolina Coordinate System, in feet and in meters, and with metes and bounds; each permanent marker shall be referenced with two reference marks, not more than one hundred meters from the permanent marker, and one azimuth mark, visible from and not less than one-quarter mile and not more than two miles from the permanent marker.

§ 10. The expenses of the Commissioners and expenditures attendant upon the discharge of their duties shall be paid equally from funds appropriated by the General Assembly of Virginia and the legislature of North Carolina.

§ 11. The Keeper of the Rolls of the State shall furnish a certified copy of this act to the Governor of the State of North Carolina.

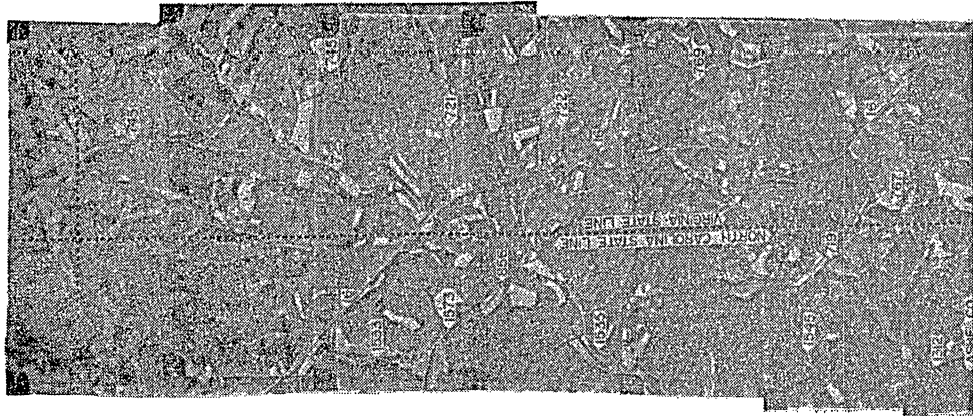
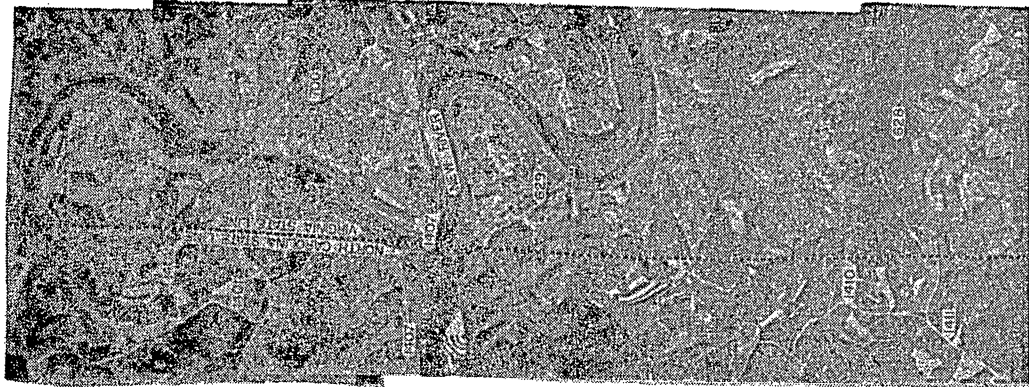
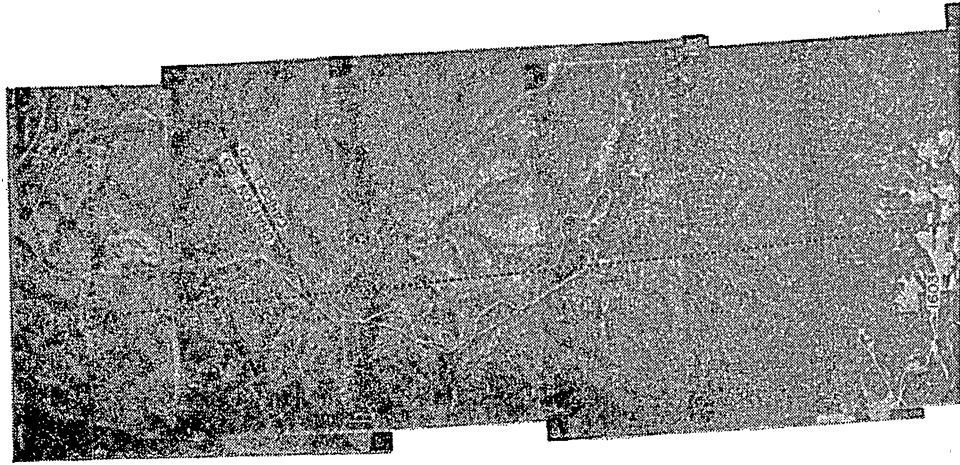
2. There is hereby appropriated from the general fund of the State treasury the sum of two hundred and fifty thousand dollars to carry out the purpose of this act.

3. This act shall be in force from and after the passage of a like law on the part of the legislature of the State of North Carolina.

## APPENDIX II

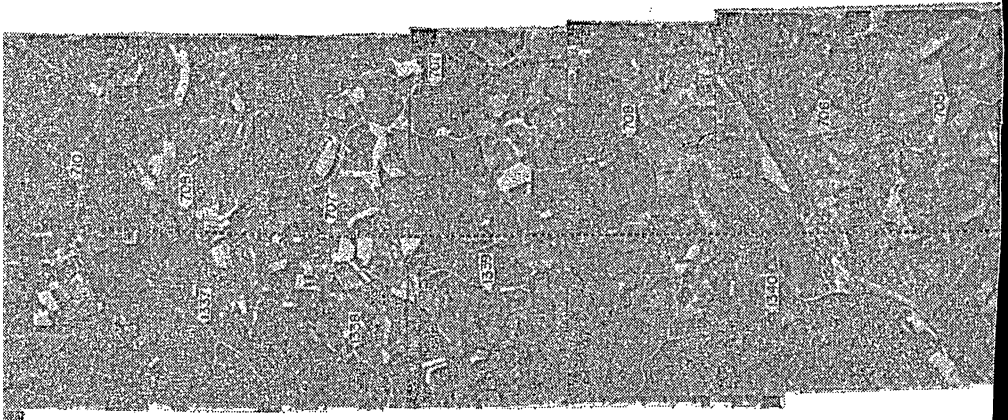
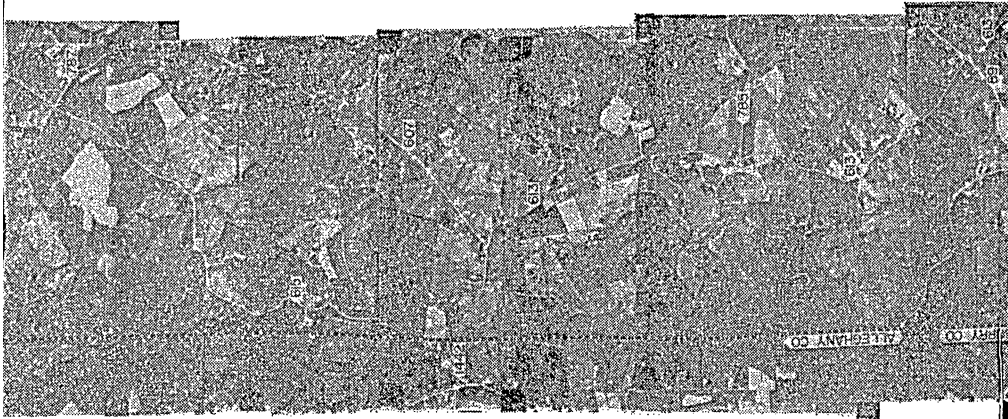
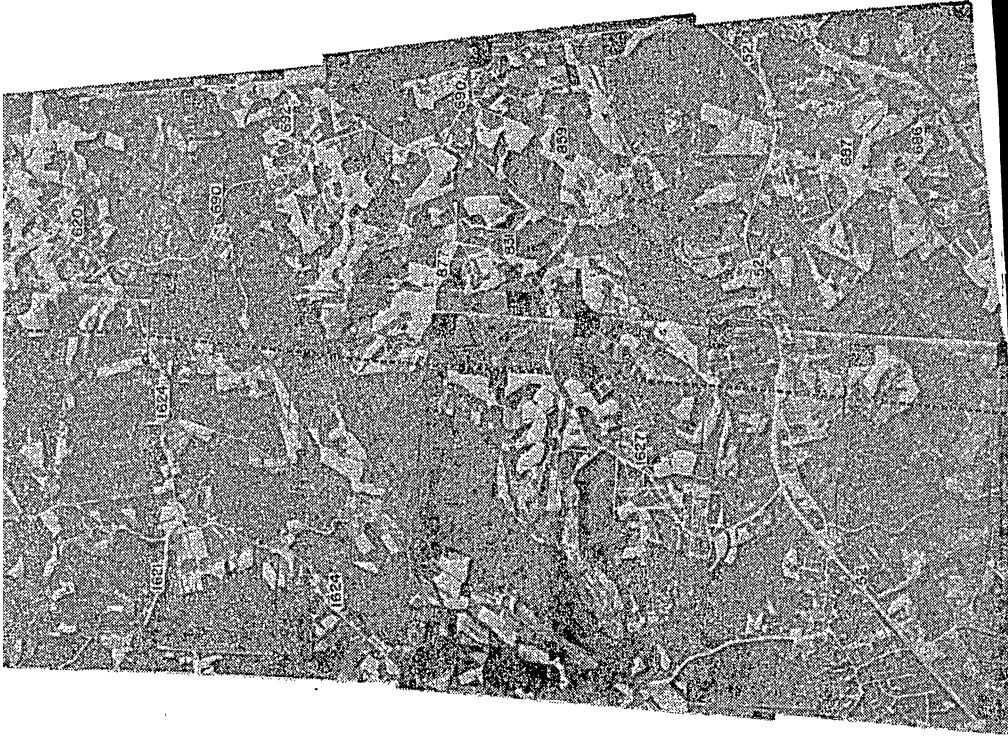
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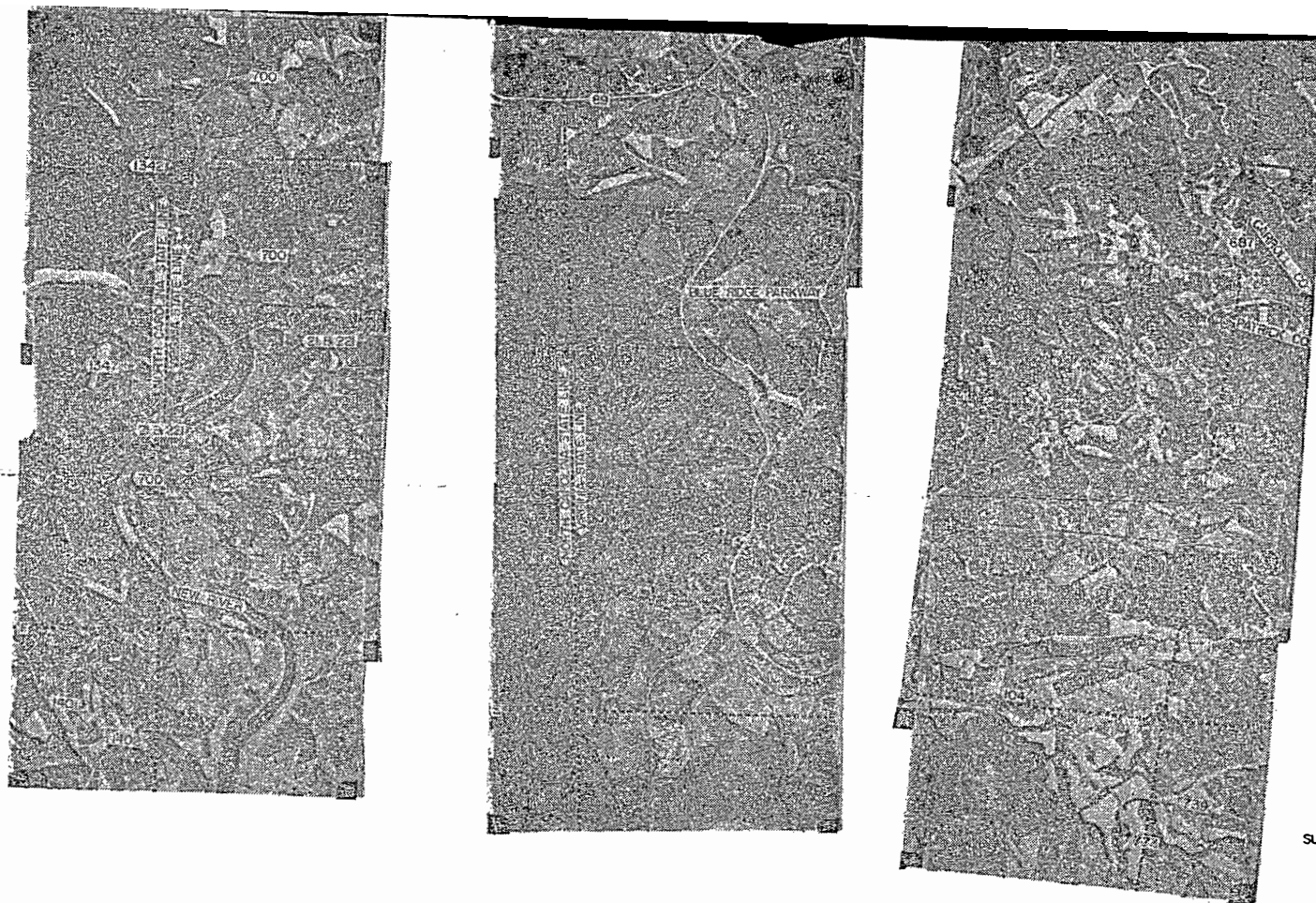


EXHIBIT I

REPORT OF COMMISSION  
TO STUDY AND MAKE A REPORT ON  
THE TRUE AND CORRECT BOUNDARY  
BETWEEN  
CARROLL AND GRAYSON COUNTIES, VIRGINIA  
AND  
SURRY AND ALLEGHANY COUNTIES, NORTH CAROLINA



EXHIBIT NO. 2

