

The following is a brief history of our neighborhood, written by local author Aaron Weber, which was originally published in the Brookland-Bush Hill Civic Association newsletter as a series of articles from 1994-95.

## A Farm Called Bush Hill

*by Aaron Weber*

**O**ne of the results of the relatively long history of the Commonwealth of Virginia is the existence of a wealth of records, dating back to the settling of the colony in the seventeenth century. Among these are land records detailing the transfer of property throughout the history of Virginia. If a person so desires, he or she could choose any plot of land, and trace the history of its ownership as far back as records exist.



In this history, I will follow the ownership of the piece of land that my home is situated on, starting from Thomas, Fifth Lord of Fairfax, and Catherine, Lady Culpeper, proprietors of the Northern Neck Land Grant of Northern Virginia after 1689. This will be done using the records from the deed books of Fairfax County. The reader will see who owned the land in question at every time for a period dating back three hundred years from the present, as well as the circumstances of each land transfer.

As a compliment to this history, I will detail some of the changes in deed writing that have occurred in the past two hundred years, such as the conversion from English to American currency units, and in the surveying methods used to describe tracts of land.

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### 1706

On December 23, 1706, **Lord Fairfax and Lady Culpeper made a grant of 4,639 acres** to four men: William and Thomas Harrison, Thomas Pearson, and Major John West.

### 1714

On March 22, 1714, **the grant was divided into eight sections.** West and the two Harrisons each got two eighths; Pearson and Michael Reagan (or Ragan) each got one eighth. When Major West died, among the things that he left his son, Roger West, was one of the original grants,

which was described as being, "situate lying and being upon both sides of Holmes Run otherwise called the back lick run in the said County of Fairfax containing 440 acres or thereabouts."

## 1787

The portion of this land on the **north side of the run was sold** by Roger West to Charles Lee, and, on December 10, 1787, West sold, for £1360, the 22 acres on the south side of the run to James Hendricks of Alexandria. It is this southern tract that I am interested in, for exactly 200 years later, my family purchased our house which is situated on that very same land.

## 1789

Unfortunately for Hendricks, his ownership of the southern tract lasted a mere two years. This was because, on January 25, 1789, James, his wife, and his brother, John "granted, bargained, sold, aliened, confirmed, assigned, transferred, and made over" all their "lands, houses, tenements, and hereditaments," as well as all other possessions, such as slaves, animal stocks, farming utensils, goods, and public securities to Messrs. Benjamin Stoddard, Josiah Watson, and William Hartshorne.

It appears that the Hendricks had gone so far into debt that, for a fee of five shillings, they were required to transfer everything they owned to the three said gentlemen. These men would then act as executors of the Hendricks' estate, so that the family's creditors could be paid off. The Hendricks' transfer of all their property was done without monetary compensation other than the five shillings required for an official transaction. However, in a subsequent deed dated August 25 of the same year, the three executors gave the Hendricks £800 for the tract on the south side of the Holmes Run.

## 1790

Three years later, on June 19, 1790, the parcel of land "which was by Roger West son of the said John West conveyed unto the same John Hendricks" was granted by the three executors to John Rickter. There is no mention of any transfer of money in this deed. No reason is indicated, but a possible explanation is that Rickter was one of the Hendricks' creditors, and this land was his compensation.



Included in each of these deeds is a very detailed description of the tract of land being transferred. These descriptions are too long to include in this paper, for they take up over a page in each deed.

However, let me pause at this point to make some observations about some other items of interest. First, in the three deeds that I have looked at so far, **the currency was still in pounds**, albeit "current money of Virginia." It was not until the 1790's that the dollar was used for payment.

A second item of importance is the **method used to describe tracts of land**. Until the twentieth century, distances were measured in poles, and angles were measured first to the nearest half a degree, then to the quarter degree, as technology improved. When landmarks were used as boundary corners, they were often natural objects such as "a small marked hickory near a marked white oak."

Certain lines of a tract were also described as following some other line, such as "the line of that land which was late the property of Michael Reagan deceased," or "thence up the several meanders of the said run." Through the nineteenth and twentieth centuries, the reader will see that surveying will become more modern at a very slow pace, with many old practices being retained for a long time.

A third item that I would like to point out is the discussion in these deeds of **land, water, or other property rights**. In each of these early deeds, accompanying the tract was "right title use and privilege of one half of said Holmes." After a certain time, water rights were not something to be reserved by a single person, but there were and are rights reserved to particular pieces of land, such as in the case of right of ways.

A right of way is a strip of land, generally between 10 and 50 feet, on either side of something not held by the owner of the tract. This is often used by governments for such things as sidewalks and underground pipes or cables.

The last item is that older deeds were not called deeds, but refer to themselves as "indentures." It was not until the middle of the nineteenth century that these documents start with "this deed."



**1791-97**

On August 16, 1797, Josiah Watson sold to Richard Marshall Scott "a certain piece [sic] parcel or tract of land situate lying and being in the County of Fairfax on the waters of Holmes run, and called and known by the name of Bush Hill..."

Although this land had been in the possession of Watson, it is in fact the same piece of land that I have been looking at, for on October 6, 1791, the "said piece, parcel or tract of land called **Bush Hill** was purchased by the said Josiah Watson of a certain John Rickter..." In other words, Rickter bought the land from the executors of the Hendrickses estate, but sold it back after a year to Josiah Watson, who sold it again a few years later to Richard Marshall Scott.

In one of the above transactions, some **land was added to the original tract**, for in 1797, the tract contained 272 acres, which was an increase of 50 acres. I do not know for sure where the additional land came from, but the additional acres were probably part of an adjacent 197 acre tract that Watson had bought in 1794. In addition to "Bush Hill," Watson sold to Scott an additional 82 acre tract adjacent to Bush Hill. This tract was then assimilated into Bush Hill, as evidenced by later deeds.

The 1797 transaction is important for three reasons. The first is its use of "Bush Hill" to describe the tract of land. In every deed from this point on, the parcel that I am following is referred to as either Bush Hill or "the farm called Bush Hill." In fact, the name is still used today, with a subdivision, a street, and a school all bearing the name, Bush Hill.

The second reason is because included in the description of the 82 acre plot is "Hepburn's Mill road." Although this road does not exist today, at least not under the same name, this is the first use of such a landmark in the deed that are being used for this paper.

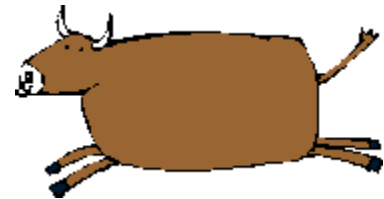
The third reason this deed is important is because the man who bought Bush Hill, Richard Marshall Scott, his son, Richard, Jr., and the latter's widow kept a continuous journal between 1811 and 1859. This journal provides an interesting history of Bush Hill, in addition to giving information about the county in that period; it gives a better idea of what Bush Hill was used for during this period.

Although there are only a few explicit references to **what exactly was grown at Bush Hill**, it was obvious that it was a full working family farm with several inhabitants living on it. Several extended family members are mentioned as living on the farm. Food items that are mentioned include grapes, apples, smoked salted pork, and wheat.

One interesting entry is dated September 8, 1814. On that day, Scott "began to haul in my tobacco from town to Bush Hill to keep it out of reach of the enemy who of our 104 hogsheads only took one." This is a reference to the occupation of the nearby port city of Alexandria by the British during the War of 1812. *The complete journal is available for public reading, and serves as an interesting supplement to this paper.*

## 1815-16

While Richard Marshall Scott owned Bush Hill, he increased its size by 92 acres through the purchase of three pieces of land. The first was from R. D. Butte on October 6, 1815. The second was from T. Swane on June 20, 1816. The third was from Charles Love on July 5, 1819.



## 1846

In 1833, Richard Marshall Scott died, and in 1846, six months before his seventeenth birthday, Richard Marshall Scott, Jr. moved to his father's farm. Soon after his birthday, he married Virginia Gunnell of Washington. He followed in his father's footsteps by also adding to Bush Hill.

## 1853

In a deed dated January 1, 1853, Scott, Jr. bought a 90 acre plot from David Harrower. Note: This deed shows that by the 1850s, **surveying instruments had advanced** to the point where surveyors were capable of measuring angles in quarter degrees.

After staying in the Scott family for 73 years, Virginia Gunnell Scott sold Bush Hill to two men. One hundred acres went to W. Willoughby and the other 436 acres were sold on November 28 for \$8,000 to Francis Gunnell. **Gunnell was the Surgeon General of the United States Navy during the Civil War**, and was a brother to Virginia Scott.

There are a few observations to be made about this deed. The first is that, in the tract description, references are made not only to the 1853 deed, but to the 1797 deed discussed above. The second is that the body of water adjacent to the land is referred to as "Cameron or Backlick Run," as opposed to Holmes run. Today, the stream called Backlick Run is a tributary of Holmes Run.

The third is that in this deed is the **first mention of Clermont farm** as being the land on the east side of Bush Hill. As with Bush Hill, today there is a Clermont subdivision, school and road.

The fourth is that there is a discrepancy having to do with the size of the farm. In the 1853 deed, several mentions are made of "the road." The 1870 deed (*see below*) makes **references to Backlick Road**, and states that this is the same road discussed in the previous deed.



The problem with this is that the current day Backlick Road is several miles from where the farm was located. Since there are 640 acres in a square mile, it would not be physically possible for Bush Hill to be bounded by Backlick Road. Either the farm was in a very different location than I think it was, or, more probably, the Backlick Road of that day was in a different place than it is now.

The 100 acres that were sold to Willoughby are also of interest. For a second time, **part of Bush Hill was sold as a way of paying off debts**, this time for the amounts of \$2511.08 and \$705.55. These were the sums of money awarded to Eliza D. Scott in her case against Virginia Scott, executrix of Richard Marshall Scott. Virginia Scott conveyed the 100 acres to Willoughby as a means of obtaining the money to pay Eliza Scott, but the land was not for him to keep.

## 1870

On December 27, 1870, Willoughby, acting as trustee of this "part of the Bush Hill Estate," transferred it for \$3800 to Francis Gunnell. With this transfer, Francis now owned all of Bush Hill.

This deed is also significant for two more reasons. For the first time, **corners were permanently marked by humans, signifying the start of a departure from using only natural landmarks.**

The second is because it has the **first mention of a right of way**. In this case, the right of way was for the Orange and Alexandria Railroad, which was built through Bush Hill starting in 1850. The railroad bridge burned and was rebuilt in 1920.

Francis Gunnell held Bush Hill for many years after this, but not without some problems. In order to secure this debt, he transferred Bush Hill to S. Ferguson Beach in a deed dated May 30, 1871. Evidently, Francis earned enough money to repay the debt, because on December 2, 1876, he reacquired Bush Hill.

Unfortunately, this is all I know about the land that was transferred, because "Bush Hill" was the only description given. This is in marked contrast with most of the other deeds I have discussed, and especially with the succeeding deed.

## 1881

On May 23, 1881, Francis Gunnell sold Bush Hill for \$13,000 to his brother, James M. Gunnell, with the exception of the O&A's right of way, and two small plots of land. The first was 13 acres "more or less" sold to Frank Martin in July 1881. The second was three acres sold to Adam Martin in December, 1881.

Otherwise, the land that was transferred was accurately described as the land being "that tract of land in Fairfax County, Virginia, some two or three miles from Alexandria, known as Bush Hill, of which Richard M. Scott, late of said County, died seized..."

This deed not only refers to Scott, but to Clermont, Josiah Watson, David Harrower, Backlick Road, a second, unnamed road, and Cameron (or Backlick) Run. Watson and Harrower are mentioned because certain points of the tract are referred to as being the same point in previous deeds.



It seems that when Bush Hill was transferred between the brothers, someone felt that it was necessary to redescribe the boundary of the tract as accurately as possible. However, despite the fact that this transfer was occurring near the end of the 19th century, most of the methods used to describe the tract's boundaries were the same as they were over one hundred years ago.

In 1881, headings were only accurate to quarters of degrees, and distances were still given in poles. In addition, landmarks such as trees and stakes in ditches were still frequent use. There were some attempts at permanency, though, such as the stone markers discussed above.

It is interesting to note that old deeds were continually referred to after their writing. Many boundary lines and corners are described in such terms as "being the corner D of the tract of land conveyed to R. M. Scott by Josiah Watson and wife."

Starting in the latter half of the nineteenth century, if the boundaries of the tract were not explicitly given, the tract would be described as being the same piece of land conveyed in an older deed, with the exact deed book and page being given. This practice has continued to this day.



## 1903

On March 7, 1903, James Gunnell gave 63.5 acres of Bush Hill to Mary Gunnell, with the legal "consideration" being \$10. The ten dollar fee is one that has continued to this day.

However, it is important to note that it is not the only consideration given, but is the legal fee for a deed. For such things as deeds of "bargain and sale," there is of course additional payment made.

This deed has additional significance because it makes mention of two roads that were not mentioned in any previous deed. The first is a road "opened by a decree of the Fairfax County Court in the December term of 1809 through Clermont and other farms from Bush Hill to the Little River Turnpike Road."

The second is for a right of way "in a road thirty feet wide following the east lines of the Bush Hill tract from the corner called...[illegible] two white oaks to the Backlick Road. Presumably, these roads existed before the deed, but I do not know why they were not previously referred to. However, Little River Turnpike still exists today as a major road in the area.

The next deed is an especially important because it is the first deed that I have examined for this paper that was typewritten. All previous deeds were handwritten with varying degrees of legibility. *(I would like to state here that the typewriter is undoubtedly one of the greatest inventions of all time.)*

## 1907

The transfer in question was made on April 30, 1907. On this date, Francis Gunnell granted Bush Hill (excluding that part conveyed to Mary Gunnell), as described in the deed of 1891 between Francis and James Gunnell to Leonard G. Gunnell.

The reader may be wondering how Francis had the right to transfer Bush Hill, since he had previously granted it to James. The simple explanation is that the farm was "devised to [Francis] by [Jame's] will duly probated and recorded..."

## 1946

**After Leonard Gunnell died, Bush Hill passed on to his wife, Emily Nelson Gunnell.** On February 26, 1946, Bush Hill was divided into Parcels 'A,' 'B,' and 'C,' and sold to various family members "for and in consideration of the sum of Ten Dollars (\$10), and other good and valuable considerations in law..." Unfortunately, the value of the "other considerations" is not given anywhere in the deed.

In these deeds, Mary Gunnell Phillips and her husband, Donald B.; Bruce Covington Gunnell and his wife, Virginia Burt; and Amenie Gunnell Boatner and her husband Mark Mayo Jr., all

served as parties of the third part, except for the particular parcel that each of them received. While Emily had primary control over the land, it appears that she did not have sole rights to it.

The particular tract that my house was later built on was Parcel B, a 125.266 acre tract which was sold to Bruce Covington Gunnell. This tract was the middle of the three and was located "In the Mt. Vernon Magisterial District in the County of Fairfax." This is somewhat more definite than "a few miles from Alexandria." However, the tract can be placed even more exactly than that, for the tract was bounded on the north by the railroad, now the Washington-Southern, and on the south by Franconia Road.

*Today, Bush Hill still is bordered by Franconia Road, although it has increased from being a dirt lane to having five lanes. The railroad still exists, although it has been joined by subway tracks.*

There is one landmark mentioned in the deed that does not exist today in quite the same form. Although she sold the land, Emily Gunnell reserved a right of way for a road "30 feet wide, over the land hereby conveyed, the said roadway being now in existence, extending from a crossing over the said Washington-Southern Railway to the Franconia Road," so that she would be able to access the part of the land north of the tracks. The road does not extend to Franconia Road anymore, but there is a wide path through part of the woods that comprise what was the northern part of this tract, with about a quarter mile section still asphalted. This path is most likely the remnant of the road in the deed.

Perhaps the most significant part of this deed is the units used to describe the parcel. **For the first time, distances were measured in decimal feet, and angles were measured in degrees and minutes**, with accuracies of one one-hundredth of a foot, and one-half of a minute.

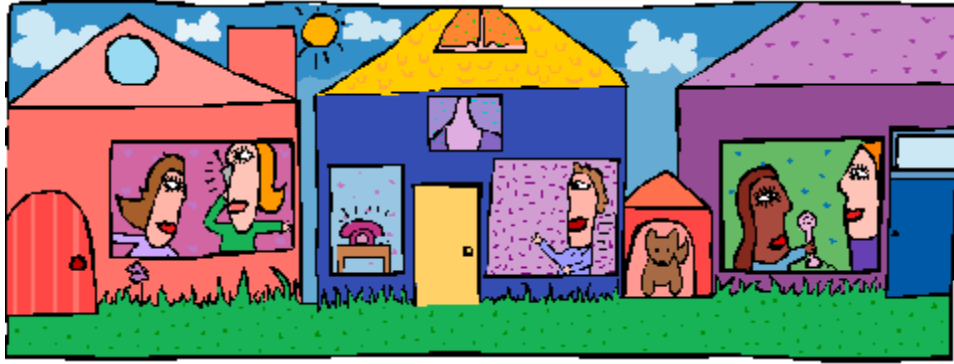
This is the first record of such measurement techniques that I have, which means that the change was made from using poles and quarter degrees sometime between 1903 and 1946.

After World War II, as the population of Fairfax County rapidly grew, the number of houses also grew. **Because Bush Hill is close to Alexandria, it was one of the earliest of the previously rural areas of the county to be developed.**

## 1961

The process of selling Bush Hill to developers began in the 1950s, and on October 18, 1961, the Wellington Construction Company, Inc. acquired title to 8.105 acres of land from Bruce Gunnell. On November 6, of the same year this tract was dedicated as Section 7 of the Bush Hill Woods subdivision.





Houses were subsequently built on this section, and Joseph Padgett and his wife Teel bought the house on Lot 13 on July 27, 1962. They sold the house on June 23, 1972, to Charles Briggs and his wife, Doris. Finally, on March 20, 1987, the Briggs sold the house to my parents, Charney and Marjorie Weber.

### **Addendum**

Aaron now lives with his family in Massachusetts. Charney Weber passed away in 2019 and Marjorie Weber passed in 2021. The lives of Charney and Marjorie are celebrated through the Marjorie and Charney Weber Memorial Community Caring Endowment Fund that created in 2022 and “provides support to homebound or ill congregants in need of assistance with rides, meals or visits.” Their house was sold in 2021 to Charles Garbet.

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## **Bush Hill Marker**

An historical "Bush Hill marker was erected by KSI in cooperation with the Alexandria Archeological Museum" and is located on "Eisenhower Avenue 0.8 miles east of Metro Road, on the right when traveling east."

For more information and a map, go to <http://www.hmdb.org/marker.asp?marker=2610>.



## Bush Hill

Retired and apart from the world's busy hum,  
This rural and lovely retreat,  
By the genius of talent and taste, has become  
To the stranger and curious, a treat.

'Tis a model, deserving of copy from all  
Who wish'to improve their estates;  
'Tis a spot, where the spring & the summer and fall,  
Man's bosom delighted elates.

Should I search far & wide, there is not a place  
My soul would prefer to 'BUSH-HILL'  
For Natural charms, and for many a grace  
Conferr'd by industry and skill.

—Phenix Gazette, November 26, 1825