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**8. Statement of Significance:**

The Hollow meets three areas of significance relating to the themes of architecture, politics/government and invention from 1763 through 1773. Thomas Marshall arrived in Prince William County in 1753 as a planter. Four years after the birth of his son John, he received appointments as Fauquier County's principal surveyor and magistrate. He quickly rose to leadership roles commanding the county militia and election to the House of Burgesses where he served on the most politically powerful committees with George Washington and Thomas Jefferson. Between 1763 and 1764, Thomas Marshall built the dwelling named for the valley that surrounds it and for the famous boy who grew up within its oaken walls. Although worn with time and neglect, the frame, colonial hall-and-chamber Hollow house is distinguished for its rare 240-year survival without invasive additions or alteration of its original sixteen-by-twenty-eight-foot form. Thomas Marshall invented a revolutionary true meridian surveying device called Marshall's Meridian Instrument and which the General Assembly endorsed in two legislative acts. Possessing a contributing circa 1763 meat house site, a non-contributing frame chicken house, a non-contributing frame pole cattle barn and a non-contributing frame house ruin, The Hollow continues to have very good integrity in location, design, setting, materials, workmanship, feeling and association.

**Justification of Criteria**

The Hollow is eligible for listing on the National Register of Historic Places under Criteria B and C. The property meets Criterion B for its association with Col. Thomas Marshall who steadfastly rose from a backwoods planter to a respected gentleman surveyor, influential and multi-term member of the House of Burgesses, county sheriff, clerk of the court, honored soldier and inventor. Praised by his son as his only intelligent childhood companion, a watchful parent and an affectionate instructive friend, Thomas Marshall was the foundation of the nation's most celebrated Chief Justice of the United States Supreme Court. The Hollow applies to Criterion C for its architectural significance. Commonplace in the eighteenth century, a colonial hall-and-chamber Virginia house that still possesses its original form, materials and craftsmanship without envelopment within a larger addition or becoming secondary to one is especially rare, particularly in the Hunt Country of the Piedmont.

**Historic Context**

The Hollow stands on a portion of the 2,925 acres of land on Goose Creek situated in Prince William County and granted by Lord Fairfax to Charles Burges of Lancaster County in 1731. After the establishment of Fauquier County from Prince William, Thomas Ludwell Lee and his wife Molly of Stafford County and Col. Richard Henry Lee with his wife Anne of Westmoreland County possessed the Burges grant. On the 12th of October 1765, the first seven parcels of the patent were sold as lease lots, and Thomas Marshall of Fauquier purchased the second largest with 330 acres "whereon the said Thomas Marshall now lives."<sup>1</sup> A typical three-life lease, the indenture designated Marshall's wife Mary and son John as the other two. The Marshall family held the only lease to state that the grantee was already in residence, and no conditions other than the payment of five pounds of annual rent were placed upon him. The other six indentures required tenants to build at least a sixteen-foot-square dwelling house plus a twenty-four-foot-long by twenty-foot-wide tobacco house and plant one hundred apple trees. All would pay five shillings annual rent, except the lessee of the unimproved and largest 350-acre tract, who was charged five pounds, because the crop value of the land was more valuable to the landlords.<sup>2</sup>

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Thomas Marshall enjoyed the special permission to build his house before 1765 because he had obviously agreed to serve as the agent for the Lee brothers on their Goose Creek tenement. Richard Henry Lee and Thomas Marshall were well acquainted as members of the House of Burgesses since their respective elections in 1757 and 1761.<sup>3</sup> At this time, Col. Lee resided at Stratford Hall in Westmoreland County, and his brother Thomas Ludwell Lee lived in Stafford County, both a considerable distance from their landed estates in Prince William and Fauquier. Richard Henry Lee confirmed the role he desired of his special tenant when he wrote to Patrick Henry on the 26th of May 1777, "Col. Thomas Marshall was one of my Tenants & Collector in Fauquier."<sup>4</sup> Further support for his important service is seen in Mr. Marshall's signature as witness on all of the other indentures.<sup>5</sup>

Thomas Marshall (1730-1802)

The Lees' preferred tenant Thomas Marshall appears to have been the great grandson of the Thomas Marshall of Westmoreland County who described himself as a carpenter in his will recorded in 1704 in which he gave property to his son William. This last Marshall fathered John "of the forest," as referred to by his great grandson Charles in a letter to genealogist Paxton and which a later biographer learned was how the gentry labeled poorer early settlers who lived in woods removed from a river.<sup>6</sup> John of the forest owned about two hundred acres of marshy land on Appomattox Creek in Washington Parish and held nineteen slaves at the time of his death, which does not suggest absolute poverty.<sup>7</sup> The planter sent his son Thomas to classes taught by the parish's Rev. Archibald Campbell. Thomas would become a skilled land surveyor, but whether he was bound as an apprentice, received on-the-job training by a tradesman or self-taught remains unknown. Following his father's death in 1752, Thomas acquired the wet and overworked Tidewater farmland from his mother Elizabeth Markham Marshall but chose instead to emigrate northwest by the Potomac River to Prince William County where boundless un-surveyed land presented greater opportunity. A deed of "bargain and sale" suggesting a fee-simple purchase from Frederick Fishback and his wife for an undisclosed number of acres on the 22nd day of October 1753, documents Thomas Marshall's first known presence in Prince William.<sup>8</sup> The court further admitted to record an unspecified deed from John Huffman to Thomas Marshall on the 23rd of September 1754, and one of these parcels from the second generation of Germantown settlers on Licking Run probably had a frame house standing similar to the one-and-one-half-story, two-bay-wide, Tilman Weaver House.<sup>9</sup> Marshall married Mary Randolph Keith, the daughter of Rev. James Keith of Turkey Run Church and Mary Isham Randolph, and their first child, future Chief Justice John Marshall, was born on the 24th of September 1755.<sup>10</sup> Surely relieved, the new father joined the Prince William County militia commanded by Major John Frogg in October. Records do not shed a bright light on his activities that awarded rank during the French and Indian War, but in the years following and before the Revolution, George Washington called him Captain Marshall.<sup>11</sup>

Thomas Marshall continued to gain significant status as a public servant and legislator in his own right, aside from being the father of a future Chief Justice of the U.S. Supreme Court. Upon the formation of Fauquier County in 1759, the first court appointed him Justice of the Peace and the principal surveyor of the territory of the emerging local government. The appointment as Fauquier County surveyor required the endorsement of the Virginia Surveyor General and the President and Masters of the College of William and Mary.<sup>12</sup> This accomplishment marked his rise in society for "Virginia's eighteenth-century surveyors were recognized among their class-conscious contemporaries as gentlemen – members of the gentry whose right to govern polity and economy, as well as to set cultural standards, was seldom questioned."<sup>13</sup> As Thomas Marshall's future record verifies, colonial surveyors frequently rose to leadership appointments commanding the county militia and election to the House of Burgesses where their attire was no less fashionable than the satin-coated gentry. They also had the means to construct their own frontier mansions "if sometimes less imposing than the grand Palladian edifices built along the lower James, [they] were of impressive style within their own regions."<sup>14</sup> The court next appointed Thomas Marshall to gather and compose the first list of tithables for adult inhabitants in

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Fauquier. Among the listed, he is shown as owning three slaves, Jacob, Hannah and Juba. His father left him Jacob and Hannah in his will.<sup>15</sup> As county surveyor, the court ordered the payment of four hundred pounds of tobacco to him for his services in February of 1760. While the breadth of that particular service period is unclear, the amount exceeded the usual fee paid to surveyors in the Piedmont at the time by fifty pounds.<sup>16</sup> The next year, Fauquier County freeholders distinguished Thomas Marshall by electing him as their representative in the House of Burgesses. A second major accomplishment for the prominent frontiersman occurred in 1761 when Governor Fauquier appointed "Gentlemen" Thomas Marshall, George Washington, Fielding Lewis, William Green and Thomas Rutherford as commissioners of the militia for the counties of Culpeper, Fauquier, Frederick, Hampshire, Loudoun and Prince William.<sup>17</sup> Captain Marshall and his esteemed colleagues were responsible for defending and protecting the frontiers of these colonial counties against the incursions and depredations of the Indians and overseeing the accounts for military arms, provisions, payment to the troops and other expenses.

Appointed to the Committee of Trade in the House of Burgesses in November 1762, the next month the assembly granted his requested leave of absence until the end of the session for unknown reasons. He actually did not return to Williamsburg for twenty-three months. Although the Fauquier Court reappointed Thomas to collect tithes and as Justice of the Peace and Court of Chancery, his responsibilities for the county did not increase.<sup>18</sup> Surveyor "Thom Marshall" did survey and plat the 13,038-acre division of the late Charles Burges's grant east of Goose Creek and separated by Crummy's Run in March of 1763.<sup>19</sup> While biographers of John Marshall claim that his father was an agent and surveyor for Lord Fairfax at this time, confirmation has not surfaced. Yet on the 3rd of March 1763, the Frederick County court ordered him to survey and plat 1,086 acres of land within its boundaries to settle a dispute between Thomas Conway and Peter Ruffner. Dated 26 April 1763 and signed in his traditional hand, "Thom Marshall," the original document is filed at the University of Virginia among business and legal papers of the Marshalls regarding the Raleigh Colston portion of Leeds Manor in Frederick County. This might suggest an involvement with the proprietor or just be a coincidence of his profession. Nor is he among the identified surveyors of the Northern Neck between 1710 and 1780, but he is listed as a quit rent collector for Lord Fairfax in 1778 which would designate him as his agent in the late eighteenth century.<sup>20</sup> Thus, Marshall's sabbatical does not appear to be connected to any obligations to the Lord Proprietor, but his requested absence from legislative duties occurs during a significant year in his life, and the explanation follows under the heading of architectural significance.

Upon his return to the House of Burgesses in the fall of 1764, he resumed his position with Richard Henry Lee on the Committee of Trade, chaired by Benjamin Harrison.<sup>21</sup> Thomas Marshall was among his fellow Assemblymen including Patrick Henry to pass the defiant resolutions against the Stamp Act in May of 1765. This was the year, of course, when Marshall officially held a signed lease for his land and home on Goose Creek which one historian noted was:

a one-and-one-half story frame house, with two large rooms to each story. This was considered a fairly large house for Fauquier County in that period and indicated Marshall's growing financial and social standing. In making this change, Marshall moved from a small-farmer neighborhood to one of large landowners. Henceforth he was to be associated with the latter rather than the former, and thus may be said to have entered a new phase of his career. From now on, he was to continue to increase in political power and to prosper financially. The pioneer of Locking [sic] Run had become the squire of the 'Hollow.'<sup>22</sup>

The squire sold the fee-simple Germantown home of 250 acres to John Ariss for 250 pounds on the 26th of August 1765, another indication that the family had left the residence prior to the date of the Goose Creek leasehold indenture.<sup>23</sup> Thomas Marshall and his wife Mary had five children upon moving to "the hollar," future Chief Justice John (1755-1835), Elizabeth (1756-1842) Mary and James Markham (1764-1848).<sup>24</sup> Mary bore three more children the next two

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years when Judith arrived in 1766 followed by twins William and Charles in 1767. Both years were professionally eventful for Thomas Marshall as well. Fauquier County renewed his 1763 commission as Justice of the Peace and further established him as one of the leading members of the local judiciary with appointment to the quorum of the court. The governor chose Marshall over two other candidates and bound him to the high constitutional office of sheriff of Fauquier County in 1767. In addition to keeping the peace, his faithful responsibilities involved issuing warrants, precepts and collecting all quit rent fines. Within minutes of taking the oath of office, "Gent" Sheriff Marshall protested that the county jail was insufficient.<sup>25</sup> Although not a son of the gentry class, since his settlement in Fauquier, Thomas Marshall had risen in social status from a common planter to a respected gentleman of high integrity through his service as surveyor, magistrate, representative in the House of Burgesses and sheriff of the county.

The future Chief Justice would have been nine years old when the family moved up to The Hollow after completion of the house in the fall of 1764. The rapid accomplishments of his father showed that his education within the parish of his boyhood home in Westmoreland had served him well. In his brief autobiographical sketch for Justice Joseph Story in 1827, John did not specifically name his Hollow home but proudly praised his father for his wisdom and guidance:

My father possessed scarcely any fortune, and had received a very limited education; -- but was a man to whom nature had been bountiful, and who had assiduously improved her gifts. He superintended my education, and gave me an early taste for history and for poetry. At the age of twelve I had transcribed Pope's essays on Man, with some of his moral essays. There being at the time no grammar school in the part of the country in which my Father resided I was sent, at fourteen, about one hundred miles from home, to be placed under the tuition of Mr. Campbell a clergyman of great respectability. I remained with him one year, after which I was brought home and placed under the care of a Scotch gentleman who resided in my Fathers family. He remained in the family for one year, at the expiration of which time I commenced reading Horace and Livy. I continued my studies with no other aid than my dictionary. My Father superintended the English part of my education, and to his care I am indebted for anything valuable which I may have acquired in my youth. He was my only intelligent companion; and was both a watchful parent and an affectionate instructive friend.<sup>26</sup>

As John Marshall described his education, he probably realized that he was providing a glimmer into his father's similar schooling in the backwoods of Westmoreland County that must have developed principled values, inspired a curiosity for knowledge and formed a commitment to serve his country. Too young to achieve comprehensive understanding of Pope's essays while living in Germantown, much of the future Chief Justice's paternal instruction in grammar, handwriting and poetry must have occurred at The Hollow between 1764 and 1767 for his proficiency of transcription at twelve. Marshall biographers report that Thomas sent his eldest son to the academy of his former tutor Archibald Campbell in Washington Parish during his fourteenth year.<sup>27</sup> It was common for clergymen to be the first educators in Colonial Virginia providing tutoring within the parish church, in the home of a parishioner or outside under the shade tree for children from outlying plantations, especially for those who chose to live in the frontier.

Bishop Meade identified the Scotch tutor John Marshall referred to as James Thomson who came to Fauquier in 1767 or 1768 and after a year returned to Glasgow for ordination.<sup>28</sup> For John to be fifteen at the time of Thomson's tutoring at The Hollow, the year should be after the formation of Leeds Parish and appointment of Thomas Marshall to the vestry in 1769.<sup>29</sup> In fact, the parish advertised for a minister in the 15 November 1770 *Virginia Gazette*. Apparently, Thomson served the year of his deaconship for the newly formed parish, and to the benefit of his children, Vestryman Marshall offered the young pastor residence at The Hollow in exchange for tutoring. Upon the expiration of his deaconship, James Thomson returned to Scotland for full ordination into the priesthood. Counting the Scottish tutor, Thomas, Mary and

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their ten children at the time, thirteen people dwelled within the four-room Hollow house until 1771.<sup>30</sup>

The 1769 General Assembly session marked Thomas Marshall's rise to prominence as one of the most politically powerful leaders through his stance on the Committee for Propositions and Grievances, Committee for Religion and the Public Claims Committee. He shared this honor with fellow committee members George Washington, Thomas Jefferson, Richard Henry Lee, Edmund Pendleton, Richard Bland and Archibald Cary, all recognized as the most important individuals in the colony. The Gentlemen legislators redefined existing county boundaries by creating new jurisdictions, improved colonial transportation by furthering laws that established roads, ferries and bridges, investigated grievances brought against public officials and claims against the colony at a cost to the treasury.<sup>31</sup>

One of Thomas Marshall's most significant achievements while living at The Hollow was his invention of a true meridian surveying device which he called "Marshall's Meridian Instrument." Intended to make surveying more precise, the General Assembly in February 1772 passed an act directing that all surveys and plats be obliged to the true meridian and suggested that the method to do this is "none more simple, or better adapted to a Surveyor's Purpose, than that proposed by Mr. THOMAS MARSHALL of Fauquier, who first proposed an Amendment of the Act directing Surveys of the Land. His Instrument is cheap and portable, and the method of using it is easily learned."<sup>32</sup> Even Thomas Jefferson owned one, for he wrote "Marshall's meridian instrument mahog cin/20" in his circa 1784 list of his scientific instruments.<sup>33</sup> Also a skilled surveyor, Jefferson's notes inform that the instrument was finely encased in mahogany and cost twenty pounds or perhaps dollars. Colonial surveyors dealt with inferior instruments which failed to determine magnetic declination with accurate compensations because the meridian directional needle would not lie still when it was supposed to come to rest, and surveys of the time were often fraught with errors. Williamsburg merchant Edmund Dickinson advertised the tool in the 7 May 1772 *Virginia Gazette*:

GENTLEMEN Surveyors, and others, may be supplied with Mr. THOMAS MARSHALL'S new invented Instrument for finding the VARIATION of the Needle by the Subscriber. This Instrument is extremely simple and cheap, and will be singularly serviceable to Surveyors if the Act takes Place which obliges them to return Plot and protract their Surveys by the true Meridian.

Demonstrating full endorsement and confidence in Thomas Marshall's invention, in May of 1773, the General Assembly passed an amendment to the 1772 duties act requiring that surveyor's use the true Meridian or be penalized and again suggested the gentlemen use the "cheap, portable and easily learned" Instrument made by Thomas Marshall and available at Mr. Dickinson's in Williamsburg.<sup>34</sup> Unfortunately, an extant Marshall's Meridian Surveying Instrument has not been discovered to date, and the measure of its success since 1773 has not been documented. Still, at the time of its invention, Thomas Marshall's Meridian Surveying Instrument must have been a revolution in the art of surveying to have impressed the endorsement of the House of Burgesses in two legislative acts. Of course, the inventor himself was among the Assemblyman who lobbied for and endorsed the scientific breakthrough.

By 1773, Mary was again expecting. Her husband had been reelected to the House of Burgesses, but resigned to accept the position as Clerk of the Court of Dunmore (now Shenandoah) County.<sup>35</sup> Having lived at his second home the same amount of time as the Germantown house, Thomas Marshall paid Thomas Turner a substantial sum of 900 pounds and ten shillings for fee-simple ownership of a 1,700 acre-plantation, still on Goose Creek, but on the east side of Cobbler Mountain on the 13th day of January 1773.<sup>36</sup> Nine months later, Thomas assigned the 330-acre lease of The Hollow, "whereon the said Marshall now lives," to John Webb of Northumberland County for the lives of the original lessees, meaning that when he, Mary and John died, the property would revert back to the Lees. Leaving a 330-acre leasehold, Marshall had definitely leveraged himself to the ranks of a gentleman with a landed estate. However, while he built a

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slightly larger seven-room, one-and-one-half-story, frame dwelling at "The Oaks" where five more children were born, the house would have no finishing finer than at The Hollow.<sup>37</sup>

Thomas Marshall returned to the House of Burgesses as Fauquier County representative in 1774 as the tension with British rule heightened and signed the resolution of non-importation drafted at Raleigh Tavern.<sup>38</sup> A witness of Patrick Henry's notorious "Give me liberty or give me death" speech, he told his son John that it was "one of the most bold, vehement and animated pieces of eloquence that had ever been delivered."<sup>39</sup> When the War for Independence began, the newly promoted Major Thomas Marshall served as a field officer in the "largest and best known of the minute battalions, carrying the furling coiled rattlesnake flag which warned 'Don't Tread on me!'"<sup>40</sup> Commanded by Col. Patrick Henry, Lieut. John Marshall stood alongside his father. Considered an honor, the battalion fought in the Battle of Great Bridge in December 1775, the first Virginia battle of the war.<sup>41</sup> Transferred to the 3rd Virginia Regiment of Foot in 1776, he rapidly rose to colonel after the Battle of Princeton, was promoted to Lieutenant Colonel on 13 August 1776 and earned full Colonel status on the 21st of February 1777. Noted for scrupulousness, Colonel Marshall reorganized the 3rd Regiment by recruiting only patriotic colonists, sans British loyalists and deserters. Recommended for bravery by George Washington to the Virginia Artillery Regiment in 1777, through his command, this militia became "Marshall's Artillery."<sup>42</sup> Colonel Marshall concluded his war service with its disbanding in 1781. Named surveyor of Fayette (Kentucky) County, all but the adult children moved to a new wilderness between 1783 and 1785 where he defined the state boundary, continued to serve his country and helped establish a new western frontier.<sup>43</sup> Col. Thomas Marshall died the year after President Adams appointed his eldest son John Chief Justice of the United States Supreme Court. This monumental achievement must have been the proudest moment for the father John Marshall revered, but the greatest misfortune is that he did not live another year to see his son establish the superiority of the U. S. Constitution.

Praised as his only intelligent childhood companion, a watchful parent and an affectionate instructive friend, Thomas Marshall was the foundation of the illustrious Chief Justice John Marshall. He influenced his children by personal example in his own determined rise from a backwoods planter to a respected gentleman surveyor, magistrate, influential and multi-term member of the House of Burgesses, sheriff, public servant, clerk of the court, honored soldier, inventor and teacher. The loving father eloquently revealed his lifelong doctrine when he wrote a grief-stricken letter to John following the death of daughter Lucy. Speaking of his grandson, "Tell [Mr. Ambler] to be careful to sow the seed of virtue and honor early in his breast – to make it virtuous rather than learned, if he cannot make it both."<sup>44</sup> Undoubtedly, Thomas Marshall sowed those seeds by teaching his fifteen children to respect the authority and equity of the law and to improve nature's gifts because five of his sons became lawyers, one a clerk of the court and the seventh was a physician.<sup>45</sup>

**The Hollow - Thomas Marshall's Colonial Hall-and-chamber Dwelling House  
"The Boyhood Home of Chief Justice John Marshall"**

In his poignant eulogy to Chief Justice John Marshall in 1835, Horace Binney provided the earliest associating reference to the location of his boyhood home for which the house was named. "After residing a few years at Germantown, the father removed with his family about thirty miles farther west, and settled in the midst of the mountains east of the Blue Ridge, at a place called 'The Hollow' in a country thinly peopled and destitute of schools, but remarkable for the salubrity of its atmosphere and the picturesque beauty of its mountain scenery."<sup>46</sup> Also recognized by the Marshall family as "The Boyhood Home of Chief Justice John Marshall," the one-and-one-half-story, three-bay-wide, colonial hall-and-chamber house has long been a local landmark.<sup>47</sup> In 1998, the Virginia Department of Historic Resources acknowledged this nationally significant mid-eighteenth-century dwelling with a highway marker that begins, "In 1765, John Marshall, then nine, moved with his family from his birthplace 30 miles southeast of here to a small, newly-constructed wood frame house known as 'The Hollow' one-half mile to the north. The house, built by his father, Thomas Marshall, was his home

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until 1773. . . "<sup>48</sup> Dulany deButts, the eighty-year-old, great-great grandson of Chief Justice Marshall grew up at Edward Carrington Marshall's Innis, north of The Hollow. He emphatically states that from one generation to the next of his renowned family, rooted in Fauquier, each child learned by tradition that the lonely frame house on the hill was indeed their ancestral home where Thomas and Mary Marshall raised the nation's greatest Chief Justice of the Supreme Court. Mr. deButts is remindful that since first settlement in the mid-eighteenth-century, "Markham hasn't had a great influx of new folks just a new generation or two of the same families" who were related to the Marshalls or well-acquainted with the later owners. "That seems to be hard for historians to grasp and every day the house deteriorates."<sup>49</sup>

Suffering from decades of neglect during trustee ownership since the 1970s, a non-profit organization formed in 1981 to seek measures to preserve the Marshall residence. Their extended purpose has been to:

obtain historical and architectural evaluation in order to achieve National Register listing, to procure, preserve and distribute historical data on the individuals whose formative years were spent in the dwelling, their contribution to state and national history and to present this building and property on which it stands (when restored to its original state) to the public in a manner in which it can serve as a witness to the way of life of the early settlers of Fauquier County, Virginia.<sup>50</sup>

The Friends of the Hollow have worked with limited funding, and without ownership, to mothball and limit rapid deterioration of the home where Chief Justice John Marshall spent his boyhood years. Still, the house is in poor condition and needs immediate attention. The tenons of joists in the cellar are pulling out of mortises as wildlife furrow under the foundation and current heavy rains further the erosion of soil and fabric.

Although an earlier two-hour preliminary architectural investigation in the 1980s indicated that while it was possible for the house to be dated to the 1760s, the interior wainscoting with a narrow bead in the west hall and the 1815 textbook date of when wrought nails fell out of use, led toward a later eighteenth to early nineteenth-century construction potential.<sup>51</sup> However, the doggedly intensive, multi-phased and multi-disciplined evaluation during the last three years examined deeper into the structural system and found layered evidence supporting earlier plaster finishing under the horizontal paneling and greater understanding of later alterations as described in Section 7. Architectural analysis of materials, technique, tool marks and nails does involve an awareness of the date range of use influenced by availability, road development, travel, craftsmen, economic factors and tradition in the locality. Ultimately, the thorough architectural evaluation since 2000 overwhelmingly supports the 1763-1764 confirmed date of construction for The Hollow.

Throughout his life, Thomas Marshall was a hard-working man, who, because of monetary necessity to support his large family or for personal satisfaction, held more than one occupation simultaneously and still served as a member of the House of Burgesses in Williamsburg. Since his first election to the House in 1761, he held the position continuously until leaving Virginia for Kentucky, except for resigning during his tenure as sheriff of Fauquier County and the year he was clerk of the court in Dunmore County. He actively participated in the sessions either in Williamsburg or by conducting appointed services on various committees which would place him in different parts of the Commonwealth. In spite of this busy life, Thomas Marshall took only one leave of absence from his legislative duties in the House beginning in December 1762 until the 30th of October 1764 session.<sup>52</sup> This time frame is significant, and dendrochronological, architectural and archaeological evidence supports it being for only one reason.

This period coincides with two scientific dendrochronological studies conducted in 1996 and 2002 that concluded the oak trees of his frame house on Goose Creek in northwest Fauquier were felled after the growing season of 1763 and immediately hewed into structural members before the next fall. The tree-ring dating analyses concurred that storage of

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the heavy oak timbers was highly improbable because there are wide gaps in joints and slued broad-axe check marks showing post construction shrinkage of green wood. The oak members have no evidence of post-felling insect tunneling or fungi activity under still-existing bark. Furthermore, by all supporting documentary evidence, Thomas Marshall was the first to arrive and reside on this 2,925-acre grant, a relative frontier in the 1760s, and all framing members are pit-sawn or hewn. A hardwood to begin with, oak becomes especially hard with age and is "much, much easier to work while green."<sup>53</sup> Thus, with all of his professional and public obligations, Captain Marshall needed the leave of absence from the distant House of Burgesses to build a new frame home for his expanding family on a larger, arable leasehold in northwest Fauquier.

Archaeological studies have determined that "historic sites cluster near road networks, and on top of, or near the tops of, hills or ridges because of the desire to leave prime bottom land open for agricultural purposes."<sup>54</sup> As the first resident and agent on the Burges-Lee tract, Thomas Marshall obviously had his choice, taking the second largest but best environmentally situated parcel. Foremost, the earliest colonials sought arable land with plentiful water sources for drinking, bathing, food, agriculture and transportation. The latter being supplemented by land travel on Native American trails and developing colonial roads. As western migration moved colonists from the rivers of the Tidewater inland to the Piedmont, settlement followed natural springs, streams and creeks. Marshall's parcel was sufficiently supplied by water. Goose Creek ran entirely along the southern boundary, Wildcat Hollow meandered from the north line fully to the south center of the property, and several streams coursed from them. Interestingly, Wildcat Hollow Run is called Sawmill Run in 1835 with Cabin Run flowing westward from it within Marshall's tract.<sup>55</sup> Lying at the foot of Naked Mountain, the distant north pastures behind his dwelling site are still today marked with limestone outcrops where Thomas Marshall surely found plentiful stone for construction of the foundation and stone chimney(s) as well as timber from the forest.

Access to this unsettled frontier grant had become easier since 1751 when the Prince William County court appointed overseers to improve the western trail from Calmes (Manassas) Gap eastward across the Shenandoah Road.<sup>56</sup> This passage is the present-day John Marshall Highway running from the Manassas Gap in the Blue Ridge through Markham east to Route 17, the road to the Shenandoah, Winchester and south to Fredericksburg. The Fauquier County court ordered further surveys and improvements to this Manassas Gap Road east to Thomas Watts' and Robert Ashby's on the Winchester-Fredericksburg Road between March 1760 and October 1765. Also by the 1760s, a road from Fredericksburg and Falmouth to the Lord's Manor lands would cross the road to Culpeper south of Warrenton and pass through Thomas Marshall's leasehold about 800 yards from his dwelling site. While the road network is important for settlement, the presence of Thomas Marshall on Goose Creek in the early spring of 1764 further evidenced by his appointment to assign tithes to clear and view the way of proposed alteration of the Manassas Run Road, is significant. At the time, Goose Creek was a good distance by horseback from his former Germantown home on Licking Run in southern Fauquier, and his new house was probably already standing, and prominently positioned on the top of the hill to provide good visibility toward all approaches and overlooking his outlying agricultural fields. Also typical of the eighteenth-century plantation setting, situating the frame dwelling back from the Manassas Run/Gap Road allowed the traditionally long entrance way up to the mansion.<sup>57</sup> Similar distance from the main road fronting the house is seen at The Hollow's nearest contemporaries, Yew Hill (dated 1760-1761) and Summerset on Route 17, about four and eight miles to the east. Historian Rhys Isaac recognized that Virginia gentry such as Landon Carter, Robert Beverley and Richard Henry Lee situated their plantation mansions on the river while their manor lands for leasing to "common planter" tenants were removed from major waterways, "so that the vast majority of the total [colonial] population lived amid fields and trees along lesser creeks [where they built] the humbler Virginia house."<sup>58</sup> Thomas Marshall was more than a common planter, however, and he did build with the probable assistance of slaves Jacob and Juba the Virginia house, "a one-and-one-half-story frame dwelling with two rooms on the ground floor and a chimney on the gable at one or both ends. It was covered with unpainted riven clapboards, made by splitting four-foot lengths of the oak timber that was so plentiful in the



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country."<sup>59</sup> The only discrepancy in this description is that Marshall used slightly longer poplar wood planed with a one-half-inch bead for clapboarding of the exterior oak timber. It is not surprising that the father of John Marshall built a frame house, for seventy-seven percent of the dwellings planters advertised in the *Virginia Gazette* between 1736 and 1780 were built of wood which remained plentiful, of course, in Colonial America and on the unsettled Goose Creek.<sup>60</sup> One of America's premier architects, Thomas Jefferson noted that "the private buildings are vary rarely constructed of stone or brick; much the greatest portion being of scantling and boards," and he seemed relieved that they were quite "perishable."<sup>61</sup> Surely then, President Jefferson would not be surprised that President James Monroe was born in a one-story, three-bay-wide, "modest wood-frame house" in Westmoreland County, that appeared little different in original form than the one his General Assembly colleague built at The Hollow.<sup>62</sup>

Thomas Anbury observed in 1779 that houses in Virginia "are most of them built of wood, the roof being covered with shingles, and not always lathed and plastered within, only those of the better sort that are finished in that manner . . ."<sup>63</sup> Thomas Marshall's house was of the better sort, for substantial evidence also reveals that he fully finished the interior hall and chamber ground floor rooms as well as the two attic bedchambers with plaster. The attic, called the garret when so finely finished, had a center passage where wrought lathing nails for the ceiling and side walls of the stairwell survive. Colonial Williamsburg architectural historians recently investigated The Hollow and noted that "it is rare to have this type of fully developed plastered passage on the attic level of a house of this size, especially if we date this construction to 1764. Such a passage gave a great deal more privacy than was then customary to both of the bed-chambers at this level. There is no evidence that these partitions were ever moved or otherwise altered."<sup>64</sup>

The door surrounds into the flanking garret bedchambers further distinguish Thomas Marshall's Virginia house. Although plain door frames are far more common in private attic family quarters of an eighteenth-century colonial hall-and-chamber house, remnants of the wrought-nailed architrave in the west chamber clearly show exceptional detailing with a planed half-inch bead. Unusual on a high-style Georgian dwelling where decoration seldom carries above the primary floor, this Period I elaboration is especially rare in a mid-to-late-eighteenth-century vernacular colonial hall-and-chamber house situated on a tenement in the remote frontier environs of the Piedmont.

Adding to the architectural significance of Thomas Marshall's Hollow house, is the mitered hearth framing in the rarely-seen spline-joined poplar floor in the west bedchamber of the garret. Combining the evidence of the certain fireplace in the west ground floor hall and the strongly-indicated east-end chimney, this second-floor fireplace demonstrates that apparently the Marshall family, including the future chief justice, enjoyed three heated rooms, which is remarkable for a surviving 1763-1764 house so far from the Tidewater. Robert Ashby's Yew Hill undoubtedly had two gable-end chimneys originally for a frame, one-and-one-half-story, three-bay-wide house with a lesser width of just under twenty-seven feet, and so does Summerset. There is substantial architectural evidence that The Hollow also had a chimney at the east end. Refer to the 2003 first floor plan for the location of two later circular-sawn, infill studs inserted between the first pit-sawn stud from the north front and the next pit-sawn stud, a span of six-and-one-half feet, just three inches narrower than the stone chimney width on the west end. A significant discovery is that these circular-sawn studs are toe-nailed with wire nails into the upper girder where expected earlier mortises are absent. If there had been mortises to receive the tenons of earlier studs, one might argue that rot or insect damage caused replacement of the vertical member. The sill is also circular-sawn and a replacement member, so the toe-nailing of the infill studs to it is not unusual in the late nineteenth or early twentieth century.

The second indication of a an east-end chimney is the original location of the second-story window more to the north where interior signs of its certain execution include the rabbet joint cut in the hewn studs which are heavily weathered below sill height to the floor on facing sides. The present more centered window was inserted in circa 1900, judging by

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the circular-sawn jamb fastened with wire nails. This more northern situation allowed clearance for the strongly evidenced east chimney, and the rhythm is more in keeping with the window location on the west gable end. There does not appear to have ever been a hearth in the east garret bedchamber, however, because the poplar floor planks are pit-sawn, gouged over the joists for leveling and fastened with wrought nails. The floor in the chamber below is nineteenth century, similar to its wall paneling. Thus, there is no hearth presently. Access for study underneath is denied because the cellar is partial. This east end apparently suffered some trauma to have lost the apparent chimney, sill, the end of the summer and chamber floor which can be further explored during restoration. However, there is more architectural evidence to support Period I execution, and not just intention, of the east-end chimney because of the certain garret window relocation and the later method, tools and nails used to insert the studs. Had the builder intended to have a chimney on this end and changed his mind during construction, late-eighteenth-century workmanship would be present. He would not have left the upper end girder unsupported in the center, especially when its ends were less braced because of doors flanking the chimney. Archaeology could not find evidence of a chimney on this east end, nor could one be ruled out. The west-end chimney, like the foundation of the dwelling, has only a single stone course below grade. Late nineteenth or twentieth-century landscaping appears to have caused heavy disturbance around the house, and the stones may have been used in the two-story house built on the south in circa 1900.<sup>65</sup>

Although Thomas Marshall and his wife Mary appear to have subscribed to the belief expressed by the Chief Justice, "the events of my life are too unimportant, have too little interest for any person not of my immediate family," written and artistic primary-source documentation of a chimney on the east end of the house does exist.<sup>66</sup> Rev. Norman Fitzhugh Marshall, the great grandson of Chief Justice John Marshall who grew up at Bergen two farms north of The Hollow in the late nineteenth century, and his cousin Ellen Harvie Smith corresponded between 1936 and 1939 while the former was having an etching made of the home to give to the John Marshall House. He was interested in her memories and photographs and ultimately found the selected, undated, black-and-white to accurately depict the house he remembered the summer of 1876 when he stored sucrose [sugar] inside. Since the circa 1916 picture of The Hollow in Beveridge's book showed only the west-end chimney, he apparently wanted verification of his recollection of an east-end chimney.<sup>67</sup>

In a 1936 letter, Rev. Norman Marshall rough-sketches a first floor plan of the house he described as having two rooms up and down from memory. The plan is closely accurate, showing the larger hall as sixteen-by-fifteen feet and the chamber as twelve-by-fourteen feet. Obviously, he obtained these incorrect room measurements from Beveridge, and the elderly gentleman "believe[d] the E. rooms were of log & the W. rooms were added."<sup>68</sup> Exterior chimneys are drawn on both gable ends, and the rear fenestration is right. He probably forgot the southwest window on the front, but he does show a door south of the east chimney on the east end. Speaking of the extant west chimney the next year, the Reverend informed that "a negro who lived on the place in 1935 told me the old chimney (one of two) was still there."<sup>69</sup> He further wrote that he would be contacting Aleck Green who would know the facts. Alexander G. Green was the son of James R. Green who owned The Hollow when it was part of Rose Bank between 1877 and 1917. In October of 1937, Norman

Marshall related to Ellen Smith that A. G. Green had responded that no fire had occurred before or after 1916 to destroy any part of John Marshall's house and that he "understood the original cabin is now standing – which is log – my father some 30 years or so ago had this weatherboarded & added a 2 story wing in front of it." He then continued, "In 1876 the building had weatherboards. It also had a chimney on the E. end. I have no information when that E end chimney was destroyed."<sup>70</sup>

Ultimately, the compilation of images gathered by Norman Marshall, including the north setting with Naked Mountain behind the house, produced an etching by artist Elizabeth Wilkins showing the one-and-one-half-story, three-bay, weatherboarded frame house with a gable roof and an exterior-end stone chimney at each gable. Having supplied Ms.

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Wilkins with Beveridge's photograph of the watercolor of Oak Hill as a guide in which the first-story window sash is muddled, she appears to have eight-light casements in The Hollow house windows and did put dormers on the wood-shingled gable roof. The Reverend explained, "there were no such windows in the second story of the original [house]." <sup>71</sup> The stone meat house stands northeast rear. He and his cousin titled the image, "The second home of John Marshall 'The Hollow,' near Markham, Fauquier County, Virginia, as recalled by Norman F. Marshall, a great-grandson." <sup>72</sup>

Beyond having three heated rooms and the distinction of design details on both floors, the original form as a one-and-one-half-story, three-bay-wide, weatherboarded frame, eighteenth-century dwelling is nearly a classic vernacular colonial hall-and-parlor/chamber "XY1" house intensely studied by architectural historians Henry Glassie and Dell Upton. As Glassie has observed on other Virginia houses of this period, the primary entrance "piercing" is slightly off center and the hall with the stairs is square and larger, while the chamber is less wide and smaller. In fact, the first floor plan is similar to the Stratman House that Dell Upton investigated in Surry County. <sup>73</sup> The stair location and doorway between the hall and chamber are identical, and one of The Hollow's east-end openings, a door, on the south side of the chimney is shown on the Stratman House. <sup>74</sup> In the latter, however, the front and back exterior door openings are opposite, which is where The Hollow differs. Originally, the north rear door of the Marshall house was nearly two feet out of alignment with the near-center front entrance, which would have made the back elevation more asymmetrical and inhibited air flow. Such disparity of front-to-back entrances is unique and can only be explained by the builder's determination to have three steps on the floor of the hall rising to the winders of the boxed stairway which is a more graceful and comfortable foot approach, but not a necessary design. One step would not have caused the back door to be shoved westward. Thomas Marshall may have decided against a steeper and fully contained box stair with narrower winders out of concern for his child-bearing wife carrying young children to the upper bedchambers when they were not sleeping in the hall.

The study of eighteenth-century dwelling houses advertised for sale in the *Virginia Gazette* by architectural historian Camille Wells determined that "even the prosperous and privileged dwelt in structures that were small." <sup>75</sup> Rising in stature as a planter, surveyor, magistrate and county representative to the House of Burgesses, however, Thomas Marshall built a sizeable dwelling in Fauquier County in 1763-1764. Specifically, the house is sixteen-feet-four-inches deep with a length of twenty-seven feet eleven inches, or overall, sixteen-by-twenty-eight-feet in dimension. Twelve years after his departure from The Hollow, Fauquier County compiled a 1785 census, enabled by the General Assembly, in which four of the twelve enumerators gathered dimensions of the dwelling houses. In fairness, however, two of these enumerators sporadically obtained dimensions instead of complete lists for all residents. Still, this documentation offers a measure of comparative data for the significance of the size of Thomas Marshall's Hollow leasehold residence. Among the 211 total of dimensioned houses, 164 were smaller than Thomas Marshall's, only 35 were larger than and 11 equaled its size. The staggering statistic that seventy-eight percent of the dimensioned dwellings were smaller twelve years after its actual

construction, further establishes the architectural significance of the Marshall family's far-from-humble dwelling at the foothills of Naked Mountain in the frontier hollow of northwestern Fauquier County. <sup>76</sup>

Explaining away the confusion caused by the log cabin myth portrayed by earlier historians and two descendants of former owners of The Hollow is a moderate challenge. This is not one of the legends begun by Beveridge, however, but Paxton certainly may be held responsible for influencing Thomas Marshall's many descendants who took an author's word without question. <sup>77</sup> It is misleading that the 1876 boyhood memory of Rev. Marshall recalls a log house, but during the 1930s site visit by his corresponding cousin Ellen Smith, she did not catch the discrepancy when some of the timber framing was exposed by missing weatherboard. It may be that the heavy broad-axed timbers were no different than logs to her. <sup>78</sup> Not a single photograph or drawing has surfaced to confirm these log accounts. In 1937, the WPA surveyor labeled the house Thomas Marshall's cabin of bare log, but there are several reasons strongly suggesting that she

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surveyed the wrong house. On the survey form, she entered none for weatherboarding, one brick chimney, eight small panes in the windows, three large and two small rooms inside plus a ladder stairway. Furthermore, the #382 Thomas Marshall Cabin is sited incorrectly on the Virginia Historical Inventory Map south of the railroad track opposite Route 724 in Markham. Archaeology conducted all over Thomas Marshall's 330-acre original leasehold found no eighteenth-century artifacts in this lowland and extreme southeastern corner of The Hollow tract.<sup>79</sup> Fictional folklore labeling frontier houses cabins or of log and the influence of nineteenth-century Jacksonian cabin mythology bear some responsibility for expecting a 1763 boyhood home of the Chief Justice of the United States to be a log structure. As the gentleman farmer/ former postmaster of Markham explains, "People have a great way of saying old houses are log when they aren't."<sup>80</sup>

After Thomas Marshall and his family left The Hollow, John Webb lived in the house for only six years, dying in Fauquier in 1778 and owning a "pair fire tongs," another indication of at least two fireplaces, using one for each floor.<sup>81</sup> A pair might have moved from the hearth in the hall to the suspected fireplace in the east chamber. Williamson Webb received The Hollow from his father and had sixteen Negroes, six horses, nine cattle and a zero rate of crop coverage in 1787, showing a continuation of tenant farming.<sup>82</sup> He assigned the leasehold to William Withers in 1792 who would purchase the property in fee simple from the second generation of the Lee family two years later.<sup>83</sup> Merchant Nimrod Farrow acquired The Hollow property in 1806, but he had previously purchased eighty acres on the northeast boundary where his graveyard presently remains near an early nineteenth-century house.<sup>84</sup> Because he did not own any other parcels at this time and because of the location of his cemetery, it appears that Nimrod and his wife Dolly continued to live on the eighty-acre tract. If the land tax records can be trusted, however, no buildings stood on the eighty-acre parcel in the mid-1820s, but enumerators were often confused by undetermined boundary lines of an owner of multiple adjacent tracts. Increases in total tax values on the former Marshall tract begin occurring in 1815 coinciding with Farrow's 1814 purchase of 114 acres on the east side of The Hollow and known to have a standing mill, later called Springfield. Nimrod Farrow has three mills on Goose Creek in 1815 including the merchant mill built on the southern boundary of Thomas Marshall's former leasehold. He may have built a circa 1815 miller's house behind the merchant mill which would later be enlarged by next owner Col. Turner Ashby and named Rose Bank for the flowers planted by his wife Dorothea.<sup>85</sup>

In 1819, Farrow gave only a small triangular lot of land in the southwest corner of the old leasehold intended to contain the "meeting house that had been built for months and years" and sufficient front yard for up to one thousand white people, a yard to accommodate three hundred colored people and another for horses and carriages.<sup>86</sup> Returning from Dauphine Island on Mobile Bay, Alabama where he had lost great sums of money as a public works contractor of the new fort in the mid-1820s, Farrow discovered more buildings with additional land and timber loss than he had initially authorized. This community with a few nineteenth-century stores, dwellings and the meetinghouse would favor him with the name of Farrowville. The fortification debt forced Farrow to sell the rest of the property he had acquired from Withers and his mills through various deeds of trust that eventually led to public auction. Col. Turner Ashby bought the circa sixteen-acre portion containing Thomas Marshall's dwelling, the merchant mill and related buildings in 1827.<sup>87</sup> The family, including the future Gen. Turner Ashby, lived in Rose Bank behind the merchant mill with, "Thomas Marshall's house on the back of the farm."<sup>88</sup>

In February of 1850, John Marshall's son Edward Carrington Marshall, the newly elected first president of the Manassas Gap Railroad Company, acquired Rose Bank including his grandfather's house and renamed the property and village Markham after his great grandmother. Demonstrating an emotional bond, Edward C. Marshall also called the property the "home place."<sup>89</sup> Simultaneously, he also bought the rents of tenant Edward Hall, shown as a miller living in the household of miller/farmer William H. Page in the 1850 census. Apparently, Mr. Hall leased the Rose Bank merchant

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mill, but The Hollow dwelling may have provided a residence for Marshall's free black carpenter Richard Gaskins.<sup>90</sup> While living in the Markham dwelling facing the village, Edward C. Marshall could oversee his father's boyhood home from the back porch and the building of the Manassas Gap Railroad from the south front. An old timer reported that he tore down the merchant mill south of Rose Bank because it blocked his view of the railroad construction.<sup>91</sup> The 1865 land tax records reveal that the Markham Station dwelling had burned with a \$4,000 value. Simultaneously, the Civil War left the railroad in ruins, plunging Thomas Marshall's grandson into debt. Still, the rebuilding of Rose Bank appears to have begun four years prior to its sale to Baltimore merchant William A. Loney, who apparently never removed from Maryland, and would only retain the enlarged 240-acre portion of the Marshall home place until 1877 when farmer James R. Green acquired the tract.<sup>92</sup>

Mr. Green used The Hollow dwelling to shelter his black farmhands. Also a carpenter, around the first decade of the twentieth century, he built a two-story, frame house above a stone foundation about ten feet off of the south front, instead of enlarging the historic Thomas Marshall dwelling. Immediately or shortly thereafter, Mr. Green carefully leaned a shed-roofed porch from the corner boards of the new house over to the one-and-one-half-story residence. Circa 1930 photographs reveal that the porch roof came to rest into the weatherboards and was fastened by nails into tin flashing in a most non-invasive way. Weatherboard enclosed only the west side of the porch, and this caused no ill effect to the colonial dwelling.<sup>93</sup> He probably had two families living inside The Hollow, which is why the southeast window is now a door, but they desired more living space or separation. It is doubtful that thirteen people ever again lived in The Hollow after the Marshalls vacated. Considering the easiest option of tearing out the end walls and building wings onto Thomas Marshall's house, James R. Green was surely aware of the past and respected the historic value of the former boyhood home of John Marshall. His deliberate act of preservation protected the historic integrity of The Hollow and has established its significance as a rare surviving example of the uncompromised form of a colonial hall-and-chamber house. Ultimately, the descendants of James R. Green deserve a great deal of respect and appreciation for watching over The Hollow for the last century and a quarter, even though their direct ownership ceased in 1917.

Beginning its life as a tenant house for Fauquier County's patriarch of the Marshall family and the Chief Justice himself, The Hollow dwelling appears to have had one fee-simple resident between 1794 and 1806, and thereafter provided shelter for white and black farmhands for Rose Bank. It is known that at least since the 1920s until The Fauquier National Bank became executor for the Katharine Jones Lake Estate in 1970 that black tenants resided in the house south of the Marshall dwelling. The Bingham's, whose daughter Alice married Lester Ewell on the west front porch of the two-story house, were the very last residents of The Hollow.<sup>94</sup>

One undated, handwritten essay by Nellie Waller, titled "Markham" discovered during intensive background research bears discussion. Apparently between 1870 and 1875, Nellie visited Markham, and was so struck by the "small village nestled in the very heart of the Blue Ridge" that she wrote to "tell something of the homes of two of the most noted men of their day Gen. Turner Ashby and Chief Justice Marshall."<sup>95</sup> Nellie portrayed Rose Bank as:

a quaint old house [that] seemed as if it were entirely composed of gables and windows . . . standing on the railroad above Markham, it strikes you at once it must have been the home of some illustrious leader . . . just back of it farther up the side of the mountain side is to be seen a small heap of stones entirely covered with vines once the home of one of Virginia's greatest lawyers and Statesman Chief Justice Marshall.<sup>96</sup>

Stone piles, overgrown, vine-covered buildings and ruins are quite common on Piedmont farms in northwestern Fauquier County. Ms. Waller's identified placement farther up the side of the mountain suggests that she looked for the Marshall residence in the wrong place because the extant 1763-1764 dwelling house stood on a stone foundation faraway from the

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side of Naked Mountain. Furthermore, the stony terrain and slope would have prohibited Thomas Marshall from constructing his dwelling on the mountainside. Nellie was obviously taken with the most recent and widely celebrated heroics of Confederate General Ashby whose former home had been reconstructed, enlarged after the Civil War and become still more imposing. By comparison, the architectural status of the tenanted Marshall house most likely would not have caught the visitor's attention because she perceived the boyhood home of the Chief Justice of the United States Supreme Court to be as aristocratic and stately as the birthplace of the "Knight of the Confederacy."<sup>97</sup> Ultimately, the evidence produced from the multi-disciplined layers of research, architectural, dendrochronological and archaeological evaluation bear more weight than this unsubstantiated essay.

The Center for Historic Preservation of Mary Washington College conducted an archaeological survey and excavation around The Hollow dwelling, dooryard and in the partial cellar during 2001-2002 to aid architectural evaluation. Among several interesting discoveries, portions of what appears to be an earlier plaster floor above bedrock underneath the earthen cellar which remains under study. The Center recalled the occurrence of plastered subterranean floors in a dairy/cold storage area at Mount Vernon. Results yielded a possible late eighteenth-century occupation of the area judging by the presence of white salt-glazed stoneware (1720-1770) creamware (1762-1820), handmade wrought nails and pearlware. The archaeologists noted that, "the presence of white salt-glazed stoneware is significant because it is the only artifact found during the entire project which truly represents the beginning of the time period in which the Marshalls occupied the Hollow tract of land [and concluded that] a 1760s date of construction is possible."<sup>98</sup> The Center recommended surveying the entire Hollow tract as an essential first step towards the location of eighteenth-century features and artifact concentrations.

A second archaeological survey was conducted at The Hollow in 2002 by the Center. This time the evaluation extended beyond the present owner's perimeters to cover the entire 330-acre Thomas Marshall leasehold, chiefly to determine whether other dwelling sites of the 1763-1773 period existed. Additionally, should the desired historic association with Thomas Marshall occur, the owner will pursue the future establishment of the John Marshall boyhood home children's park. The subsequent goal of the archaeological analysis, therefore, was designed to gather data for furthering future management and interpretation of The Hollow property. Fieldwork and analysis was enhanced by investigation of comparative data regarding the size of eighteenth-century structures in Fauquier County and the location of contemporary historic archaeological sites in the western Piedmont and Virginia.

Implementing a multiple-stage archaeological research design, "the entire landscape across the leasehold was sampled to see if expectations based on the known location of eighteenth-century houses were realistic, then focusing on the high probability of landforms."<sup>99</sup> "Transects were positioned to intersect level upland ridges and fingers, the most likely settings for eighteenth-century sites based on previous work in Virginia [and the Piedmont]."<sup>100</sup> The last fieldwork phase more intensively focused on the only other (west of The Hollow dwelling) ridge top north of Route 66 that had produced any artifacts, outward down through the agricultural fields, south of Route 66 to Rose Bank and the lowlands around the Primitive Baptist Church in Farrowville. The northwest ridge contained an extremely low scatter of nineteenth-century artifacts only, with an abrupt drop in the fields and lowlands with increased distance from The Hollow house "which is a pattern characteristic of eighteenth-century sites elsewhere in Virginia."<sup>101</sup> The archaeologists concluded:

Taken together, the archaeological and archival research indicates that the timber-frame structure believed to be the boyhood home of John Marshall conforms closely to the expected location, size and attributes of the eighteenth-century home of a successful planter on the Virginia frontier, and that no other portion of the property is more likely to contain the remains of an eighteenth-century domestic structure.<sup>102</sup>

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Combining the results of the 2001 and 2002 archaeological surveys, one outstanding reality occurs. Although creamware (1762-1820) was found at Rose Bank which gives it a late eighteenth-century potential, white salt-glazed stoneware (1720-1770) was discovered at only one location on the entire 330-acre leasehold – in The Hollow dwelling site. The locations of artifact discoveries are shown on the additional documentation, colored USGS maps with the boundary of Thomas Marshall's 330-acre leasehold delineated.

All said, a compelling realization is that the finely-finished, colonial hall-and-chamber, Virginia house standing on the ridge north of Markham truly is the boyhood home of Chief Justice John Marshall, built in 1763-1764 by his father Thomas. The great grandson of the Chief Justice identified The Hollow in his letters, drawings and photographs. For at least two centuries, he and other Marshall descendants have come to see the earliest remaining house in the Hollow where their forefathers began. Some have excused the tenant house for lacking the grandness of Monticello, Mount Vernon, Stratford, Westover or the John Marshall House in Richmond, all seemingly more fitting to a gentleman of Virginia. Yet, as he was rising in economic and professional status as a planter, surveyor, Assemblyman and public servant, Gentleman Marshall built "one of the best eighteenth-century houses in the county," albeit on a leasehold property.<sup>103</sup> Thomas Marshall took a leave of absence from the House of Burgesses from December 1762 through October 1764, and two independent tree ring dating studies yielded a 1763 felling date for the timbers with construction of The Hollow dwelling by the fall of 1764. His lease for the 330-acre property indicated that the agent for landowners Richard Henry and Thomas Ludwell Lee was a resident on the tract before October 1765. Court records repeatedly evidenced Thomas Marshall was in the neighborhood in 1764. Archaeology found white salt-glazed stoneware (1720-1770) only at The Hollow house after surveying the entire Marshall leasehold. Unlike the birthplace of James Monroe, deemed a nationally significant site, John Marshall's boyhood home still stands as a reminder of a loving father's ideals, and the seeds of virtue and honor which he sowed early in the breast of the nation's greatest jurist.

Dr. David C. Collins, CEO of Learning Tree International, dreams of sewing the same seeds of virtue and honor into willing minds with the creation of the John Marshall Boyhood Home Children's Park at The Hollow. Plans include preservation and restoration of the colonial hall-and-chamber house under the guidance of architectural historians, conservators and the Friends of the Hollow. Dr. Collins has already established a similar undertaking at Mount Blanc near Cobbler Mountain where the Chief Justice built a home for his son John that was lost to fire in the late nineteenth century. Now called Learning Tree Farm, in cooperation with the Fauquier County School Board, children enjoy developing computer and photographic skills while learning about nature, plants, wild animals, archaeology and realize local associations with the French and Indian War, American Revolution and the Marshall family's influence on Fauquier County, the state and nation. The educator hopes children will leave The Hollow remembering those blue hills, "What spires, what farms are those? That is the land of lost content, I see it shining plain, The happy highways where I went And cannot come again."<sup>104</sup>

**NOTES**

<sup>1</sup> Northern Neck Grant Book D, page 64, Thomas Lord Fairfax to Charles Burges of Lancaster County, 13 September 1731; Northern Neck Grant Book E, page 32, "The Lord Fairfax's Plat" of his Leeds Manor Lands by surveyor John Warner provides the outline for the 2,925-acre Charles Burges land, 15 November 1736; Lancaster County Will Book 12, page 239, Last Will and Testament of Charles Burges of Saint Marye White Chapel Parish in Lancaster County, dated 4 November 1732, proved 14 March 1732; William Waller Hening, "An Act for the better enabling the Executors of the last Will and Testament of Charles Burges, gent. Deceased, to pay his Debts, and Legacies, August 1734;" *Statutes at Large*, vol. 4 (Richmond, Virginia: Franklin Press, 1820), 451-3. Although Mr. Burges died testate, he left the greatest part of his estate containing 17,777 acres undisposed. The Assembly empowered Charles Burges's executors, his wife Frances Burges, James Ball and Edwin Conway, to sell his lands which included the 2,925-acre Goose Creek tract; Fauquier County Deed Book 2, page 424, Thomas Ludwell Lee and his wife Molly of Stafford County and Col. Richard Henry Lee and his wife Anne of Westmoreland County to Thomas Marshall of Fauquier County, lease of 330 acres on Goose Creek "whereon the said Thomas Marshall now lives" for five shillings current money and five pounds of rent annually during the natural lives of the said Thomas Marshall, his wife and John Marshall, his son.

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<sup>2</sup> Fauquier County Deed Book 2, page 424.

<sup>3</sup> Richard Henry Lee Papers, 1767-1833, Personal Papers Collection, Accession 21465, Richmond, Library of Virginia.

<sup>4</sup> James Curtis Ballagh, ed., *The Letters of Richard Henry Lee*, vol. 1 (New York: The Macmillan Company, 1911-14), 298.

<sup>5</sup> Fauquier County Deed Book 2, page 413; DB 2, page 416; DB 2, page 420; DB 2, page 429; DB 2, page 433; DB 2, page 436, 12 October 1765; Oliver Perry Chitwood, *Richard Henry Lee Statesman of the Revolution* (Morgantown: West Virginia University Library, 1967), 137-8. Mr. Chitwood indicates that Lee discussed the payment of rent in tobacco on the Fauquier Estates with Thomas Marshall in 1775 because the tenants were having difficulty turning crops into money due to export restrictions imposed by England. Marshall approved and agreed to present the proposal to his "fellow" tenants, but entered the military before doing so.

<sup>6</sup> William M. Paxton, *The Marshall Family* (Cincinnati, Ohio: Robert Clarke & Co., 1885), 5-8; Albert J. Beveridge, *The Life of John Marshall*, vol. 1 (Boston: Houghton Mifflin Company, 1916), 12-14; Jean Edward Smith, *John Marshall Definer of a Nation* (New York: Henry Holt and Company, Inc., 1996), 23.

<sup>7</sup> Paxton, 13; Beveridge, Appendix 2, will of John Marshall, dated 1 April 1752, recorded 26 May 1752.

<sup>8</sup> Prince William County Court Minute Books 1752-57, Book 1752-53, page 291, 22 October 1753. The deed book for this time-frame does not survive in PWC. According to PWC Court Minute Book 1955-57, page 169, 26 July 1756, Frederick Fishback acknowledged a Deed of Release to said Marshall at the 26 July 1756 court, an indication that he was paid in full. While access to the actual deeds would benefit an opinion, the Deed of Release indicates that Thomas Marshall was outright fee-simple purchasing the land from Fishback, but lacked funding. Leases generally do not require Deeds of Trust which further require a later release when the purchase price was paid.

<sup>9</sup> A circa 1937 photograph of the Tilman Weaver House in Germantown, which had 1721 carved over the entrance, reveals it was a one-and-one-half-story, two-bay-wide, frame house with a wood-shingled gable roof and two, exterior-end chimneys. An unidentified frame house with an interior chimney stands behind the Weaver house. Archived at the Library of Virginia, the image is attributed to Henry Hutton; T. Triplett Russell and John K. Gott, *An Historical Vignette of Oak Hill, Fauquier County Home of John Marshall, Chief Justice of the United States and Native Son of Fauquier County* (Westminster, Maryland: Willow Bend Books, 2000), 8-9.

<sup>10</sup> Paxton, 37.

<sup>11</sup> William Harris Gaines, "Thomas Marshall" (Master's Thesis, University of Virginia, 1941), 8-11; George Washington, "March 1769" (George Washington Papers at the Library of Congress, 1741-1799: The Diaries of George Washington, vol. 2, 1766-70); *Calendar of Virginia*, vol. 1, 508; vol. 3, 128.

<sup>12</sup> Fauquier County Court Minute Book 1759-1762, page 2, 24 May 1759; Fauquier County Deed Book 1, page 1; Lyon G. Tyler, ed., "The Washington-Wright Connection," *Tyler's Quarterly Historical and Genealogical Magazine*, vol. 4 (New York: Kraus Reprint Corporation, 1967), 237-8; Stuart E. Brown, Jr., *Virginia Baron; The Story of Thomas 6th Lord Fairfax* (Berryville, Virginia: Chesapeake Book Co., 1965), 121-2.

<sup>13</sup> Sarah Hughes, *Surveyors & Statesmen* (Richmond: Virginia Surveyors Foundation, 1979), 156.

<sup>14</sup> Ibid.

<sup>15</sup> "The Washington-Wright Connection," 238-9; Beveridge, Appendix 2; Prince William County Court Minute Book 1752-53, page 291, 22, October 1753. The court adjudged "Juba a negro boy belonging to Thomas Marshall to be twelve years old."

<sup>16</sup> Fauquier County Court Minute Book 1759-1762, page 34, 28 February 1760; Hughes, 157.

<sup>17</sup> Journals of the House of Burgesses, 1761-65 (Richmond, 1908), 3; *Statutes*, vol. 8, 1, page 9-13, 26 May 1761; Fauquier County Court Minute Book 1759-1762, page 198; *Fauquier Historical Society Bulletins*, "Thomas Marshall," Series 1 (Richmond: Old Dominion Press Inc., 1921-1924), 137; Gaines, 13-14.



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<sup>18</sup> Fauquier County Court Minute Book 1763-1764, page 131, 23 June 1763; page 287, 24 May 1764.

<sup>19</sup> Prince William County Deed Book Q, page 19, 28 March 1763. This survey divides Charles Burges's original 13,879-acre grant between his grandsons Burges Smith, Burges Ball and guardian Robert Armistead.

<sup>20</sup> Smith 1996, 27-29; Gaines, 16-16; Survey and Plat by Thom Marshall, 26 April 1763 in Business Papers and Legal Papers of the Marshall Family, 1763-1829, Mss 1106, Box 6, Charlottesville, University of Virginia; Peggy Shomo Joyner, *Abstracts of Virginia's Northern Neck Warrants & Surveys Dunmore, Shenandoah, Culpeper, Prince William, Fauquier and Stafford Counties 1710-1780*, vol. 3 (Portsmouth: Peggy S. Joyner, 1986), xv. Thomas Marshall emigrated west to Fayette County in 1783; Brown, 180; Fairfax Harrison, *Virginia Land Grants* (Westminster, Maryland: Willow Bend Books, 1998), 182. Mr. Harrison lists the Northern Neck agents, and Thomas Marshall is not among them; Russell and Gott, 9. Mr. Russell and Mr. Gott have proven over the years to be reliable researchers and historians who noted that Thomas Marshall collected quit rents for Lord Fairfax.

<sup>21</sup> Gaines, 18-19, citing *Statutes*, 8: 1-10; Journals of the House of Burgesses 1761-65, 227.

<sup>22</sup> Gaines, 21-22.

<sup>23</sup> Fauquier County Deed Book 2, page 355, Thomas Marshall of Fauquier Gent & Mary his wife to John Ariss of Fauquier Gent, 250 Acres, being the same land Thomas Marshall purchased of Frederick Fishback, Timothy Redding and John Huffman by their several deeds recorded in Prince William County for 250 pounds, 26 August 1765.

<sup>24</sup> Slave Baptism Authorization by Thornton Ash for bearer Alfred for the liberty to apply for admittance to the Baptist Church "in the hollar" in the Upper Goose Creek Baptist Church Records, 1801-1859, Mss4 Up653 b, Richmond: Virginia Historical Society. Dated 28 December 1828, this is the earliest reference to the area as the hollow. Paxton, 51. James Markham Marshall's day and month of birth is not known.

<sup>25</sup> Gaines, citing Fauquier County Court Minute Book, 1764-1768, page 3; Fauquier County Court Minute Book, 1764-1768, page 167, 26 May 1766; page 322, 328, 26 October 1767; Fauquier County Deed Book 3, page 70, Sheriff Constitution and Bond of Thomas Marshall, 28 March 1769.

<sup>26</sup> John Stokes Adams, ed., *An Autobiographical Sketch by John Marshall*, 1827 (Ann Arbor: University of Michigan Press, 1937), 4-5.

<sup>27</sup> Smith, 35; Allan B. Magruder, *John Marshall* (Boston: Houghton, Mifflin and Company, 1885), 3.

<sup>28</sup> Bishop William Meade, *Old Churches Ministers and Families of Virginia*, vol. 2 (Philadelphia, 1857; reprint, Baltimore, Maryland: Genealogical Publishing Co., Inc., 1995), 218-19.

<sup>29</sup> Fauquier County Court Minute Book 1768-1773, page 227, 23 July 1770; Charles Francis Cocke, *Parish Lines Diocese of Virginia* (Richmond: Virginia State Library, 1967), 211; Smith, 35.; Gaines, 26; Clara S. McCarty, *The Foothills of The Blue Ridge in Fauquier County*, Virginia (Warrenton, Virginia: The Fauquier Democrat, 1974), 86.

<sup>30</sup> *The Virginia Gazette*, 15 November 1770. Advertisement for a minister stated the vacancy continues till the last of November next which further explains John Marshall's statement that Rev. Thomson's term expired.

<sup>31</sup> Gaines, 29-30.

<sup>32</sup> Silvio A. Bedini, "Marshall's Meridian Instrument" and "The Marshall Mystery." *Professional Surveyor*, July/August 1987, 26-27, 60.

<sup>33</sup> Ibid, 60.

<sup>34</sup> *The Virginia Gazette*, 13 May 1772, Act of Assembly amendment requiring surveyors to survey to the true meridian; *The Virginia Gazette*, 7 May 1772, 13 May 1773, "Gentleman, Surveyors, and others may be supplied with Mr. Thomas Marshall's new invented instrument . . ."

<sup>35</sup> "Thomas Marshall," *Fauquier Historical Society Bulletins* (Richmond, Virginia: Old Dominion Press, Inc., 1921-24), 138

<sup>36</sup> Fauquier County Deed Book 5, page 282, Thomas Turner of King George County to Thomas Marshall of Fauquier County, 1,700 acres in fee-

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simple, 1 January 1773.

<sup>37</sup> Although he died in 1802 many years after leaving the landed estate to be renamed Oak Hill, Thomas Marshall made reference to it as "The Oaks" in his will as noted in Russell and Gott, 11; Paxton, 23. Paxton fully reprints the will. No longer owning the land, the reference was made in devising to his son John of The Oaks who owned the property in 1802. The Oaks/Oak Hill apparently was plastered inside in Period I. Not having the opportunity to fully investigate, the author could only walk through the house in 2001 and briefly note details. Since then, the original block of Oak Hill has been gutted, with the removal of plaster and lath fastened with wrought nails that were deposited in a dumpster outside. (Witnessed during an exterior visit to compare exterior details last year.)

<sup>38</sup> Gaines, 57, citing Peter Force, ed., *American Archives* (Washington: 1836-46), 4:1, 527.

<sup>39</sup> Smith, 44.

<sup>40</sup> E. M. Sanchez-Saavedra, ed., *A Guide to Virginia Military Organizations in the American Revolution 1774-1787* (Richmond: Virginia State Library, 1978), 16.

<sup>41</sup> Rev. Philip Slaughter, *St. Mark's Parish* (Baltimore, Maryland, 1877), 3, 14, 15, 47.

<sup>42</sup> Sanchez-Saavedra, 124, 16, 38-40.

<sup>43</sup> Gaines, 42-48; Smith, 49; Paxton, 20-22; Herbert A. Johnson, ed., *The Papers of John Marshall*, vol. 1 (Chapel Hill: University of North Carolina Press, 1974), 135.

<sup>44</sup> Charles T. Cullen and Herbert A. Johnson, eds., *The Papers of John Marshall*, vol. 2 (Chapel Hill: University of North Carolina Press), 323; Adams, 4-5.

<sup>45</sup> Paxton, 48, 51, 53, 58 and 69.

<sup>46</sup> Horace Binney, *An Eulogy on the Life and Character of John Marshall, Chief Justice of the Supreme Court of the United States. Delivered at the request of the councils of Philadelphia, on the 24th September 1835* (Philadelphia: Printed by J. Crissy and G. Goodman, 1835; reprint, Chicago: Callaghan & Company, 1900), 13. The earliest reference to the region as "the hollar," but not in association with John Marshall's home, occurred in 1828, slave Baptism authorization, see endnote 24. Binney is the first to associate John Marshall with the hollow, also his grandfather as of the "forest."

<sup>47</sup> Elsie McCarty of Willow Hill, Delaplane, Virginia, interview by author, 23 November 2001. Having turned 100, Mrs. McCarty passed away in 2003, but her mind and memory remained strong to the end. Especially bright during this interview, the Marshall descendant informed that she spent her summers at Glendale across Leeds Manor Road from The Hollow, always known as the boyhood home of John Marshall by her family. Like many descendants, she said, "my mother was not very proud of it, but nobody had much of a pretentious house then!"; Norman Fitz-Hugh Marshall of Jarratt, Virginia to Ellen Harvie Smith in Richmond, 25 October 1936, in possession of Ralph Higgins, Richmond, Virginia. Norman Fitzhugh Marshall was the great grandson of Chief Justice John Marshall, born 9 February 1859 as he indicates. Rev. Norman Marshall grew up at Bergen near Markham; Ellen H. Smith of Richmond to Cousin Norman Fitz-Hugh Marshall of Jarratt, Virginia, 3 November 1938 in possession of Ralph Higgins; Alexander G. Green, telephone interview by author, 2 August 2000. Mr. Green is a son of James R. Green who owned Rose Bank containing The Hollow between 1871 and 1877; William C. Stribling, interview by author, 4 August 2000; James R. Green, Jr. and Caroline Ribble Green, Jr. interview by author, 18 December 2000.

<sup>48</sup> Thomas M. deButts to Katherine P. Long, Department of Historic Resources, 26 March 1998.

<sup>49</sup> Dulany F. deButts of Fairfax, Virginia to author, 22 March 2002. Mr. deButts is the grandson of Courtney Marshall, daughter of Edward Carrington Marshall, son of the Chief Justice. He owns Innis today where his aunt Agnes Marshall recalls trunks and boxes of letters both personal and dealing with the railroad there when she was a child. Unfortunately, her mother threw some away and sent others to relatives in St. Louis or Kansas she thought. National on-line library index searches produced no Marshall papers in either city or state. Direct library contacts in KY proved unfruitful.

<sup>50</sup> "Certificate of Incorporation of The Friends of the Hollow," draft, Fauquier Heritage Society, Marshall, Virginia, 1981.

<sup>51</sup> Dell Upton, Architectural Historian, "Report on the Hollow, Rt. F284 at Rt. 688, Fauquier County, Virginia" (Winterthur, Delaware: Winterthur

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Museum, 18 April 1982), 4-5.

<sup>52</sup> Gaines, 17-18, citing the Journals of the House of Burgesses, 1761-1765, page 227.

<sup>53</sup> Dendrochronologist Bill Callahan, <engcal@snip.net>, "Re: physical evidence of storage," email to Cheryl Shepherd, 31 May 2003; Herman J. Heikkenen, "Final Report. The Last Year of Tree Growth for Selected Timbers Within 'The Hollow' As Derived by Key-Year Dendrochronology" (Blacksburg, Virginia: Dendrochronology, Inc., July 1996), 4; Edward R. Cook and William J. Callahan, "Tree-Ring Dating of The Hollow House, Markham, Fauquier County, Virginia" (Wyndmoor, Pennsylvania, November 2002), 6.

<sup>54</sup> Josh Duncan and Mike Klein, "Archaeological Survey of The Hollow Tract Markham, Virginia" (Fredericksburg, Virginia: Center for Historic Preservation, Mary Washington College, 2003) draft, n. p.

<sup>55</sup> Fauquier County Clerk's Loose Papers, 1835-075 Plat and Survey, 1835, of Edward Colston's Division of Leeds Manor shows the Charles Burges grant northern boundary as the southern boundary of this portion of the Manor. Thomas Marshall's northern boundary is so distinctly triangulated that it is easy to distinguish, and "Sawmill Run" is where the presently-identified Wildcat Hollow Run is located on both historic and modern USGS maps.

<sup>56</sup> Norman L. Baker, *Valley of the Crooked Run* (Delaplane, Virginia: by the author, 2002), 9-10; Richard W. Stephenson and Marianne M. McKee, eds. *Virginia In Maps* (Richmond: Library of Virginia, 2000), 83.

<sup>57</sup> Fauquier County Clerk's Loose Papers, Road Series, Box 1, 1762-004 Culpeper County Inhabitants for Road from Williams Ford to Falmouth; 1764-002 Road Petition Actions Viewers Report for way from Thumb Run to Upper Church; 1768-001 Viewer's Report to View Way from Benjamin Neale's School House on His Lordship's Road to the Upper Church along the ridge to Thumb Run by Capt. Dixon's line; 1770-002 Court Order for Viewer's Report on the Road from Manor Road to the Courthouse; Fauquier County Court Minute Book 1759-1762, pages 17, 49, 91, 113, 127, 135, 158 and 223; 1763-1764, page 256-7 and DB 1764-1768, page 54.

<sup>58</sup> Rhys Isaac, *The Transformation of Virginia 1740-1790* (Chapel Hill: The University of North Carolina Press, 1982), 32-33.

<sup>59</sup> Ibid, 33.

<sup>60</sup> Camille Wells, "The Planter's Prospect: Houses, Outbuildings, and Rural Landscapes in Eighteenth-Century Virginia," *Winterthur Portfolio*, no. 1 (Spring 1993), 10.

<sup>61</sup> Duncan and Klein, draft 2003, 6:2-3; Henry Glassie, *Folk Housing in Middle Virginia* (Knoxville: University of Tennessee Press, 1975), 125.

<sup>62</sup> Calder Loth, ed., *The Virginia Landmarks Register*, 4th ed. (Charlottesville: Virginia Department of Historic Resources, University Press of Virginia, 1999), 543; Keith Egloff, "James Monroe Family Home Site" or "James Monroe's Birthplace," National Register of Historic Places Inventory – Nomination Form, 1 December 1976.

<sup>63</sup> Camille Wells, "The Eighteenth-century Landscape of Virginia's Northern Neck," *Northern Neck of Virginia Historical Magazine* 37, no. 1 (December 1987): 4242.

<sup>64</sup> Peter Sandbeck, Architectural Historian, "Report on the Hollow: Architectural Investigation Report" (Williamsburg, Virginia: Colonial Williamsburg Foundation, 11 July 2000), 19; Carl R. Lounsbury, *An Illustrated Glossary of Early Southern Architecture and Landscape* (New York: Oxford University Press, 1994), 157. "Garret. A room created partially or wholly from the space immediately beneath a roof. Unlike most lofts, garrets usually were finished, often heated, and designed for living or working."

<sup>65</sup> Josh Duncan, David Weese Mike Klein and Emily Lindveit, "Archaeological Survey and Excavation at *The Hollow*, Markham, Virginia" (Center for Historic Preservation: Mary Washington College, 2002), 7-9.

<sup>66</sup> Adams, *Autobiographical Sketch by John Marshall*, 3.

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<sup>67</sup> Norman Fitz-Hugh Marshall to Ellen Harvie Smith, 7 July 1938, 2 August 1938 in possession of Ralph Higgins, Richmond, Virginia.

<sup>68</sup> Fitz-Hugh Marshall, 25 October 1936; Beveridge, vol. 1, 37.

<sup>69</sup> Norman F. Marshall to Ellen Harvie Smith, 8 October 1937.

<sup>70</sup> Norman F. Marshall to Ellen Harvie Smith, 27 October 1937.

<sup>71</sup> Beveridge, vol. 1, Plate of Oak Hill after page 57; Norman F. Marshall to Ellen Harvie Smith, 24 February 1939.

<sup>72</sup> Marshall to Smith, 24 February 1939.

<sup>73</sup> Glassie, 25-33.

<sup>74</sup> Dell Upton, "Vernacular Domestic Architecture in Eighteenth-Century Virginia." Dell Upton and John Michael Vlach, eds., *Common Places: Readings in American Vernacular Architecture* (Athens, Georgia: University of Georgia Press, 1986), 317.

<sup>75</sup> Wells, *The Planter's Prospect*, 6.

<sup>76</sup> Fauquier County Circuit Court Archives, 1785 State Census Fauquier County, Virginia 1785-003 through 1785-005, 1785-008 through 1785-013, 1785-013 through 1785-015, 1785-023, 1785-026. Archivist Joan W. Peters, discovered this lost census in 1994 during the invaluable Clerk's Loose Papers project for Fauquier County as part of a preservation grant from the Library of Virginia; *Statutes*, 1782-1784, vol. 2, 415.

<sup>77</sup> Beveridge, 37; Paxton, 20.

<sup>78</sup> Photographs in the correspondence of Norman Fitz-Hugh Marshall in possession of Ralph Higgins, Richmond, Virginia.

<sup>79</sup> Frances Foster, "Thomas Marshall Cabin," 5 August 1937; Virginia Historical Index Map, Fauquier County, Library of Virginia; Duncan and Klein, 2003, draft, 1:3-4.

<sup>80</sup> Alexander G. Green, Jr., gentleman farmer and former Markham postmaster, telephone interview by author, 16 June 2003; Edward Pessen, *The Log Cabin Myth* (New Haven, Connecticut: Yale University Press, 1984), 17, 22; Mike Klein, telephone interview by author, 17 June 2003.

<sup>81</sup> Fauquier County Will Book 1, page 353, "John Webb's Inventory," recorded 24 August 1778; Will Book 1, page 355, "John Webb's Will," written 7 February 1777, recorded 25 May 1777. Confirmation of the correct John Webb is provided by his wife's name Judith in all documents and the will devising the land he bought of Col. Thomas Marshall to his son Williamson; Fauquier County Clerk's Loose Papers Oversize Land Records, 1773-003, "Marshall Conveyance to Webb," 11 September 1773, recorded 27 October 1773.

<sup>82</sup> Fauquier County Personal Property Tax List, 1787.

<sup>83</sup> Fauquier County Clerk's Loose Papers Land Records & Disputes, Box 1724-011 to 1824-011, Assignment WmSon Webb to William Withers, 5 April 1791; Fauquier County Deed Book 11, page 536, Thomas Lee Senior and wife Mildred Corbin of Prince William County to William Withers of Fauquier 325 ½ acres for 211 pounds, 12 shillings, 18 April 1794. Although the acreage is less than Thomas Marshall's 330, platting of the metes and bounds yielded an identically-shaped parcel.

<sup>84</sup> A. G. Green, Jr., 16 June 2003; Nancy Baird, Carol Jordan and Joseph Scherer, *Fauquier County [Virginia] Tombstone Inscriptions*, vol. 2 (Bowie, Maryland: Heritage Books, Inc., 2000), 59. The Virginia Historical Inventory Map of Fauquier also has Nimrod Farrow's cemetery, #318, misplaced and south of Route 55.

<sup>85</sup> Fauquier County Deed Book 16, page 810, William Withers and wife Patsy of Fauquier to Nimrod Farrow of Fauquier 325 ½ acres; Deed Book 18, page 311, Nimrod Farrow and wife Dolly to John Ashby Jr., a 16 A. 2 R. 37 P. portion of the 325 ½ acre tract from Withers lying on Goose Creek; Deed Book 20, page 93, John Ashby and wife Sarah to Nimrod Farrow, the 16 A. 2 R. 37 P. parcel including a merchant mill and all houses, buildings, orchards, etc.; Fauquier County Personal Property Tax List, 1815; Works Progress Administration, *Old Homes and Families of Fauquier County, Virginia* (Berryville: Virginia Book Company, 1978), 167.

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<sup>86</sup> Upper Goose Creek Baptist Church Records, 1801-1859, Mss4 Up653 b, Richmond: Virginia Historical Society.

<sup>87</sup> Ibid; A Bill for the Relief of Nimrod Farrow and Richard Harris and their Securities in the Senate of the United States, S. 64, 21 February 1823; A Bill for the Relief of Nimrod Farrow, Richard Harris and their Securities, S. 95, 15 April 1824, U. S. Congressional Documents and Debates 1774-1875, Washington, D. C. Library of Congress; Fauquier County Deed Book 29, page 328, Nathaniel Grigsby and Josiah Tidball, Trustees of the first part, to Nimrod Farrow and Nimrod Ashby of the second part, to John Ashby of the third part and to Turner Ashby of the fourth part, 1 August 1827.

<sup>88</sup> James B. Avirett, *The Memoirs of General Turner Ashby and His Compeers* (Baltimore, Maryland: Selby & Dulany, 1867), 19, 32-35; Millard K. Bushong, *General Turner Ashby and Stonewall's Valley Campaign* (Verona, Virginia: McClure Printing Company, Inc., 1980), 7.

<sup>89</sup> Fauquier County Clerk's Loose Papers, Chancery Suit 1871-006, *Ashby vs Green*. Edward C. Marshall's February 1850 letter offering to purchase the property is among the papers of this suit; Fauquier County Deed Book 63, page 266, Edward Carrington Marshall, wife Rebecca Courtney Peyton Marshall to William A. Loney of Baltimore, 240 acres more or less known as the "Home Place" or "Markham."

<sup>90</sup> U. S. Bureau of the Census, Population, Free Schedules, Fauquier County, Virginia. Richard Gaskins, age 26, male, black, occupation – carpenter.

<sup>91</sup> Lee Moffett, *Water Powered Mills of Fauquier County, Virginia* (Warrenton, Virginia: Lee Moffett, circa 1972), 44.

<sup>92</sup> Fauquier County Land Tax Records, 1860-1875; Fauquier County Deed Book 63, page 266, 22 April 1871; Fauquier County Deed Book 69, page 4, William A. Loney and wife Alice Louisa of Baltimore, Maryland to James R. Green of Fauquier, 240-acre tract of land known as "Home place" or "Markham," 20 October 1877.

<sup>93</sup> Fauquier County Picture Collection -HH- Unidentified LAB #01-0368-05, LAB # 01-0368-06, LAB #01-0368-07, LAB# 01-0368-09, Richmond: Library of Virginia. Although cataloged as an unidentified house, there is no mistaking The Hollow dwelling and circa 1900 frame house on its south front; The 1883 Land Tax Records for James R. Green state "Increased for a building" which would have occurred in 1882 or earlier to be counted that year. Rev. Marshall's letters state that the south house was built by James R. Green in 1906. The ruins of the house were pushed off of the foundation and down the east terrace into a pile on another pile of stones that may represent a bank barn. The timbers are circular-sawn, some have mortises and tenons, yet the only nails found during a dig through the first few layers and into the sides were modern wire leading the author toward an early twentieth-century date of construction, supported by Rev. Norman F. Marshall, Henry C. Green and Alexander G. Green, Jr.

<sup>94</sup> Henry C. Green, grandson of James R. Green and brother of Alexander G. Green, Jr., telephone interview by author, 15 June 2003. Mr. Green has managed The Hollow land, cutting hay, raising cattle and maintaining the yard around the Marshall dwelling for most of the last forty years; A. G. Green, Jr., 16 June 2003. The Greens have long demonstrated that they are Friends of the Hollow.

<sup>95</sup> Nellie Waller, "Markham," essay, n. d., Ashby Family Papers, 1845-1934, Section 17, Mss1 As346a 240-242, Richmond, Virginia Historical Society; Sallie M. Hull at the Cottage to the Neighborhood of My Childhood, 2 July 1875, "dear Sister Waller who is now in Glory," Ashby Family Papers, 1845-1934. Since Ms. Waller heroized Gen. Turner Ashby, partly described an extant Rose Bank which burned with rebuilding about 1869, and she died before the 2nd of July 1875, her essay appears to date between 1870 and 1875. A U. S. census search produced only one "Nelly" Waller, age 64, black female, day laborer living in Delaware with Mary, Martha and Maranda Waller in 1860, page 162, but she would not seem a likely candidate to celebrate a Confederate General.

<sup>96</sup> Waller, 2.

<sup>97</sup> Frank Cunningham, *Knight of the Confederacy* (San Antonio, Texas: The Naylor Company, 1960), cover.

<sup>98</sup> Duncan, 2002, 6, 17, 20-21.

<sup>99</sup> Mike Klein, Senior Archaeologist, Center for Historic Preservation, <mklein@mwc.edu>, "Hollow questions," private response to Cheryl Shepherd, 17 June 2003.

<sup>100</sup> Duncan and Klein, 2003, draft, 1:3-4.

<sup>101</sup> Ibid.

**United States Department of the Interior  
National Park Service**

**National Register of Historic Places  
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**The Hollow  
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<sup>102</sup> Ibid, 1:4.

<sup>103</sup> Camille Wells, PhD, telephone interview by author, 11 April 2003; Upton, *Common Places*, 319-20.

<sup>104</sup> David C. Collins to author, 31 May 2003, quoting, A. E. Housman (1859-1936), *A Shropshire Lad*.