

Historic Structure Report
The Stone House
(Misnamed the Salty Dog Saloon)
Opposite C & O Canal Lock 33

Chesapeake and Ohio Canal National Historical Park
Historical Data
Harpers Ferry National Historical Park
W.Va.—Va.—Md.

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Preface to the 2012 Edition

The 2012 edition was prepared as a volunteer project for publication as a pdf document available to the public on the National Park Service history website. See: (http://www.nps.gov/history/history/park_histories/index.htm#choh).

Only stylistic, grammatical, and format changes were made to the core text, but several footnotes were added and identified as mine by including “—kg” at the end. These all include new information or research that supplements the original text. Also additional images, including the Historic American Buildings Survey’s measured drawing, have been added to the Illustrations.

The document is formatted with a gutter to facilitate two-sided printing and binding. The page number is at the bottom of the initial pages of major sections and on the upper outside corner of all other pages.

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Preface to the 1980 Edition

The abandoned stone house at the base of Maryland Heights opposite Canal Lock 33 is perhaps the most talked-about house along the canal. According to local folklore; the house very early became famous as a center for lusty and riotous entertainment. Like much of the folklore in the Potomac Valley, the stories surrounding the Stone House are based to some degree on actual facts. Since the stories were passed down orally, however, some of the facts have been gradually distorted over the years. For example, the Stone House has been mistakenly identified as being the infamous "Salty Dog Saloon." Although the Salty Dog Saloon did stand very close to the Stone House, the two structures were, in fact, two separate and distinct buildings. The histories of the two buildings were also different.

This report has been made possible by the assistance of a number of persons. Mr. Edgar Marion Weaver of Pleasantville, Maryland granted several interviews in which he provided valuable information and photographs of the history of the Stone House from approximately 1920 to the present. Robert and Olga Waters, two longtime residents of Dargan, Maryland, also granted interviews which were valuable to this report. Special thanks also go to Maria Joy and Michael Musick of the National Archives, to Lea Strubble and Dale Sipes of the Chesapeake and Ohio Canal National Historical Park, and to Hilda Staubs and Archie Frazen of the Harpers Ferry National Park.

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March 1980

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Statement of Historical Significance

The abandoned stone house at the base of Maryland Heights opposite Canal Lock 33 is significant because it is one of only three houses still standing in the Dam 3 Area of the Chesapeake and Ohio Canal.¹ Although it was not built by the canal company, it has had a long association with the canal. The Stone House is also significant because of its own unique history. It has been a residence, a store/saloon and a museum. In addition, it was probably used as a hospital during the Civil War.

¹ For a general description of what is called the “Dam 3 Area” of the canal, see Edward D. Smith, *Historic Resource Study, Dam 3 Area: Shenandoah River Lock to Lock 36* (Denver: NPS, December 31, 1979), page. i.

Administrative Data

A. Name of Structure

Building No. 80, the Stone House (sometimes known as the Salty Dog Tavern) is located at the base of Maryland Heights, Washington County, Maryland, in the Harpers Ferry National Historical Park.

B. Proposed Use of Structure and Justification for Such Use

In the list of classified structures for the park, Building No. 80 is listed as being in category 1-B, only the masonry walls remain and it will be maintained in this condition. No information has been discovered to date to indicate that the structure had any role in the John Brown Raid. As a result no restoration is contemplated.

C. Provision for Operating Structure

The Park's Interpretive Prospectus does not call for any special measures to interpret the ruins it has only local and no national interest.

D. Cooperative Agreement, If Any, Executed or Proposed for Operating Structure

There are no cooperative agreements executed or proposed for operating the Stone House.

E. Description of Proposed Construction Activity

Only preservation/stabilization treatment is envisioned for these ruins to prevent further deterioration.

I. The Stone House under James H. Elgin, 1840–1865

The stone house at the base of Maryland Heights is situated on an unnumbered lot² within a tract of land originally patented as “Keep Trieste.” By the early nineteenth century, a large part of the Keep Trieste tract had been purchased by the Brien Family who also owned the Antietam Iron Works.³ Sometime before 1824 John and John McPherson Brien sold the Wager Family (of Harpers Ferry) a strip of land at the base of Maryland Heights. The Wager Family included the descendants of Robert Harper, the founder of Harpers Ferry. They desired a strip of land at the base of Maryland Heights so that a toll bridge could be erected to replace Robert Harper’s old ferry. The toll bridge was erected in 1824.⁴

Sometime after the Wager Family erected their toll bridge, they also erected a “tavern house” somewhere near the Maryland end of the bridge.⁵ This writer could not determine the precise location of the tavern. It is probably safe to say, however, that it was not located on the site of the Stone House. The tavern probably stood within the right-of-way of the proposed Chesapeake and Ohio Canal. Such a location would seem logical in light of the fact that in 1833 the county road had to be relocated in order to make room for the canal.⁶ In addition, before the coming of the Chesapeake and Ohio Canal, the old Potomac Company’s long skirting canal was in operation between the United States Armory Dam and the Wager Toll Bridge. It is quite likely that the Wager Tavern stood between the county road and the Potomac Company’s skirting canal. The Wager Tavern was probably not situated on the site of the Stone House because of one other important factor: before the coming of the Chesapeake and Ohio Canal and the relocation of the county road, the Stone House site would have been part of a rocky hillside. Even before the arri-

² Proof that this lot was never numbered can be found in Deed, Department of Forests and Parks, State of Maryland, to the United States of America, February 13, 1863 (recorded February 1, 1965), in Washington County Land Records, Hagerstown, Maryland, Liber 419, Folios 65–71.

³ The Brien’s property was resurveyed in the 1840s and given the name “Antietam Iron Works Tract.” It was at that time that the tract was divided into numbered lots. The Stone House lot would not have received a number since it was no longer owned by the Briens. For a view of the Antietam Iron Works lots in the vicinity of Maryland Heights, see Appendix A: Antietam Iron Works Plat made by S. S. Downin in 1858 and recopied by E. E. Piper in 1883, located in the Plat Files, Washington County Courthouse, Hagerstown, MD. For a brief discussion of John McPherson Brien and the Antietam Iron Works, see Thomas Chew Williams, *History of Washington County, Maryland*, 2 Vols. (Hagerstown: Runk and Titsworth, Publishers, 1906; reprinted., Baltimore: Regional Publishing Company, 1968), Vol. I, pp. 247–48.

⁴ Charles W. Snell, *Historic Resource Study, The Business Enterprises and Commercial Development of Harpers Ferry’s Lower Town Area, 1803 to 1861* (Washington: NPS, April 9, 1973), p. 11.

⁵ This “tavern house” is mentioned in the Chesapeake and Ohio Canal land records relative to the condemnation of the Wager strip at the base of Maryland Heights. See Legal Records, ca. 1828–1900, C & O Co. Unless otherwise noted, all Chesapeake and Ohio Canal manuscript source materials referred to in this report are deposited in the Department of the Interior files at the National Archives and are designated Record Group 79.

⁶ For documentation indicating that the county road would have to be moved to make room for the canal, see Profile Map of Section 109, found in Drawings and Other Records Concerning Construction, 1828–1937, C & O Co. A copy of this profile map can also be found in Edward D. Smith, *Historic Resource Study, Dam 3 Area: Shenandoah River Lock to Lock 36*, Appendix B.

val of the canal and the relocation of the county road, it was difficult to erect a building near the base of the hillside. According to one source, before the Stone House could be built, some blasting was required in order to remove a large rock which extended to the edge of the county road.⁷

The Chesapeake and Ohio Canal was delayed in reaching the Dam 3 Area opposite Harpers Ferry because of injunctions obtained by the Baltimore and Ohio Railroad in 1828. It was not until early 1832 that the canal company was finally given the green light to proceed with its construction north from the Point of Rocks.⁸ On January 7 of that year, the board of directors of the canal company ordered the company's land agent to take immediate steps to acquire the land needed for construction between the Point of Rocks and the proposed dam above Williamsport.⁹

The first land condemned by the canal company in the vicinity of Maryland Heights was the Wager family's strip near the Wager Toll Bridge. According to Walter Sanderlin's history of the canal, one of the Wager brothers (Gerald B. Wager) was "a bitter opponent of the canal company" and the family sought the highest possible damages. An inquisition was held on the property on June 29, 1832. The jury awarded the Wager Family \$5,500. The canal company immediately filed an objection to the certification of the inquisition. The company argued that the value of the Wager Tavern, which stood on the condemned land, had been grossly over-rated by the Wagers and by the jury. The court, however, affirmed the inquisition on April 6, 1833.¹⁰

By mid-October of 1833, that section of the canal which included Lock 33 had been completed.¹¹ By the end of October all of those sections between Dam 3 (opposite Harpers Ferry) and the Point of Rocks had been completed. On November 1, 1833, the Superintendent of the new Harpers Ferry Division of the canal informed the Board "that the water had been admitted into the Canal at Harper's ferry" and that it had "nearly reached Rushville [Seneca]."¹²

The Baltimore and Ohio Railroad reached the vicinity of Maryland Heights a year after the canal had been opened to that point. A temporary station was established near the entrance to the Wager Toll Bridge. The "first regular passenger train" pulled "up to the temporary station" on December 1, 1834.¹³ The railroad company eventually built a new

⁷ The statement concerning the blasting of rock appears in Elgin to President and Board of Directors, August 5, 1873, Ltrs. Recd., C & O Co. The reader should note that this letter was written by James H. Elgin some forty years after the Stone House was supposedly built.

⁸ For a review of the struggle between the canal and the Baltimore and Ohio Railroad, see Walter S. Sanderlin, *The Great National Project: A History of the Chesapeake and Ohio Canal* (Baltimore: The John Hopkins Press, 1946), pp. 83 and 88. [A more complete and well-documented secondary source is available in *The Great Road* by James D. Dilts (Stanford University Press, 1993). —kg]

⁹ *Proceedings of the President and Board of Directors*, C, pp. 49–50.

¹⁰ Legal Records, ca. 1828–1900, C & O Co. See also Washington County Land Records, Liber 20, folio 43; Deeds and Other Records Concerning Land, 1828–1873, C & O Co.; Notebook entitled "Lands in Washington County, Maryland," p. 11, located in Deeds and Other Records Concerning Land, 1828–1873, C & O Co.; and Sanderlin, *The Great National Project*, p. 91. The Wager Family apparently had been renting their tavern to someone in the local area.

¹¹ *Proceedings of the President and Board of Directors*, C, pp. 401–02, 433, 438, 442, 447.

¹² *Ibid.*, D, p. 3.

¹³ Edward Hungerford, *The Story of the Baltimore and Ohio Railroad*, 2 Vols. (New York: G. P. Putnam's Sons, 1928; reprint ed., New York: Arno Press, 1973), Vol. I, pp. 146–47.

bridge across the canal and river to Harpers Ferry. The railroad bridge carried both railroad and vehicular traffic. A tracking path was also attached to the bridge so that boats could be towed between Harpers Ferry and the canal.¹⁴

The arrival of the canal (and later the railroad) brought increased commercial activity to the area adjacent to Maryland Heights. As early as August 1834, G. B. Wilson and Company of Baltimore sought to lease a piece of ground near the Wager Toll Bridge for the establishment of a warehouse. The Canal Board, however, declined Wilson's application on the grounds that the canal company owned only enough land near the bridge "for its own purposes."¹⁵ In October of the same year, however, the Canal Board did grant one Patrick O'Byrne permission to erect a temporary warehouse "on a small parcel of land on the towpath side of the canal immediately above the Harpers Ferry Bridge." O'Byrne's warehouse was therefore probably the first warehouse erected along the canal near Lock 33.¹⁶

In 1839, the Canal Board allowed a warehouse to be erected over the flume at Lock 33. This was probably only the second warehouse to be erected in this area. The warehouse was erected by James H. Elgin.¹⁷ Thirty-four years later this same James H. Elgin would claim that he had also erected the stone house at the base of Maryland Heights in 1840–41.¹⁸

James H. Elgin was born into a prominent Loudoun County, Virginia family around 1815. His father, William Elgin, was a hotel keeper in Aldie, Virginia and also owned a number of slaves.¹⁹ James H. Elgin and a brother named William S. Elgin, became involved with the canal company during the 1830s. In November 1837, James H. Elgin was awarded a contract to complete Lockhouse 38. He completed the house in October of 1838. In 1838–39, James H. Elgin was in partnership with Franklin Blackford of Ferry Hill Plantation. They owned and operated a fleet of packet boats on the canal. In 1838, James' brother, William, held four positions with the canal company. He was: Superintendent of the Harpers Ferry Division of the canal; Keeper of Lock 33; Keeper of the Shenandoah River Lock; and Collector of Tolls at Harpers Ferry. By 1840, the two Elgin brothers were in business together. In addition to operating the packet boats and James H. Elgin's warehouse over the flume at Lock 33, the two men also operated a retail store (somewhere near Harpers Ferry) and another "warehouse on the Loudoun side of the Shenandoah."²⁰

¹⁴ *Ibid.*, Vol. I, p. 150. See also *Proceedings of the President and Board of Directors*, E, pp. 139, 291.

¹⁵ Wilson to President and Directors, August 11, 1834, Ltrs. Recd., C & O Co. See also *Proceedings of the President and Board of Directors*, D, p. 148.

¹⁶ O'Byrne's warehouse was apparently "located on the towpath side of the Canal immediately opposite the lock." By early 1835 O'Byrne had formed a partnership with Gerald B. Wager. See *Proceedings of the President and Board of Directors*, D, pp. 152, 178, 364. See also O'Byrne to President and Directors, April 30, 1835 and Wager to Washington, April 30 [June 1], 1835 in Ltrs. Recd., C & O Co.

¹⁷ *Proceedings of the President and Board of Directors*, E, pp. 54–55, 59, 63. See also Elgin to President and Directors, April 23, 1839 and Elgin to President and Directors, May 18, 1839, in Ltrs. Recd., C & O Co.

¹⁸ Elgin to President and Directors, August 5, 1873, in Ltrs. Recd., C & O Co.

¹⁹ *Portrait and Biographical Record of the 6th Congressional District, Maryland* (Chicago: Chapman Publishing Company, 1898), pp. 256–57.

²⁰ *Proceedings of the President and Board of Directors*, E, pp. 332, 336, 511. See also John Blackford, *Ferry Hill Plantation Journal January 4, 1838 – January 5, 1839* edited with an Introduction and Notes by

James H. Elgin's early ownership and occupancy of the stone house opposite Lock 33 cannot be clearly documented. The three letters, which state that Elgin built the house, were written many years after the house was actually built. One letter was written by Elgin himself, and the other two were written by his friend, Attorney Henry Kyd Douglas. Elgin's letter was written to the canal company on August 5, 1873. He stated that back in 1840, he had obtained permission from his brother, Superintendent William S. Elgin, and from Chief Engineer Charles B. Fisk, "to build a stone house on the lands of the Ches. & O Canal Co. near Lock 33." He also stated that his brother and Fisk had assured him that the canal company would eventually give him a deed to the house site, since the land was of no value to the company. The house, according to Elgin, was built during the fall and winter 1840–41. Because of "forgetfulness & neglect," however, Elgin never "applied to the Company for a deed" and consequently a deed was never given to him. He had continued to hold and lease out the house, however, until near the end of the Civil War.

In April of 1865, according to Elgin, the Union Commander at Harpers Ferry ordered the removal of Elgin's tenant from the house. The house was then turned over to a canal employee named John H. Reed. Reed, according to Elgin, had occupied the house rent free since the end of the War. Elgin accused Reed of neglecting the house and thereby allowing it to fall into a "dilapidated condition." Elgin also accused Reed of running "a drunken" and disreputable house. The reputation of the house was so bad under Reed's occupancy, according to Elgin, "that many Respectful families" were "afraid to pass the house." Elgin begged the Canal Board to give him a deed so that he could "despose [sic] of Mr. Reed & Remove the nuisance" which had been imposed upon the community. Elgin concluded his letter by giving a more precise description of the location of the Stone House. The house was located, according the Elgin, "on the Edge of the County Road where a large rock" had once been. Elgin claimed that he had blasted away the rock and built the house.²¹

Elgin's letter was read by the Board on August 8, 1873 and referred to president Gorman. On December 4, 1873, Gorman reported "that the records of the Company" did not show "that any agreement was made as claimed." He therefore recommended the Elgin's application be rejected. The Board adopted the president's report and the application was rejected.²²

Nearly a year after his claim had been rejected by the Canal Board, Elgin received the support of the well-known Washington County Attorney, Henry Kyd Douglas. Although Douglas was much younger than Elgin, the two men had probably known each other for years. Douglas' stepmother, Helena Blackford Douglas, was the sister of Franklin Black-

Fletcher M. Green (Chapel Hill: The University of North Carolina Press, 1961), pp. xiv, 10, 14–15, 21, 26–27; and Elgin to Thomas, February 13, 1840, and Wager to Thomas, August 14, 1840, in *Ltrs. Recd., C & O Co.*

²¹ Elgin to President and Directors, August 5, 1873, *Ltrs. Recd., C & O Co.* Elgin stated that the Chief Engineer and the Division Superintendent had both assured him that the rocky site was "of no value to the Canal," and that the company would only require the use of the "material around the building for repairing the Canal." For the complete text of the letter, see Appendix B of this report.

²² Elgin to President and Directors, August 5, 1873, *Ltrs. Recd., C & O Co.* See also *Proceedings of the President and Board of Directors*, M, pp. 122, 135.

ford. Elgin had long been a close friend of the Blackford Family and had been a business partner with Franklin Blackford in the late 1830s.²³

On May 27, 1874, Douglas wrote a letter in support of Elgin's claim. Although Douglas could not state unequivocally that Elgin had built the house, he could testify to Elgin's character. Elgin was described as being "a man of responsibility and character," and Douglas did not doubt the correctness of his claim. Most of Douglas' letter was simply a repeat of Elgin's letter. Douglas did, however, mention one possible aspect of the building's history that had not been mentioned in Elgin's letter. Douglas thought that the house had been taken by the Union Army and used "at first for a hospital." It then passed into the hands of John H. Reed. Douglas was convinced that Reed could make no reasonable claim to the property. The problem, according to Douglas, was clearly a matter between the Canal Company and Elgin. He urged the Board to reconsider Elgin's claim. Douglas' letter was read by the Board on June 16, and referred to the Committee on Leases. The canal company's records do not indicate what recommendations this committee made in response to the letter.²⁴

Almost a year later, Douglas wrote a second letter in support of Elgin's claim. Along with this letter, Douglas also enclosed a letter of support from James C. Clarke. Elgin had apparently hired Clarke to make a survey of the canal company's boundaries in the vicinity of Lock 33. Clarke's letter indicated that the Stone House was found to be on canal property just as Elgin had said all along. Douglas again concluded that John H. Reed was a trespasser and therefore had no right whatsoever to the house. He urged the Board to either take possession of the house or give it to Elgin.²⁵

The canal company's records do not show how Douglas' second and last letter was handled by the Board. It is highly probable, however, that the letter was simply ordered to be filed. The letter indicated that some canal officials may have felt that the house was not on canal lands. Douglas had evidently enclosed Clarke's letter in an effort to convince the Board that the house actually was on canal company land. It is quite possible, however, that the Board simply refused to acknowledge that the house was within the canal company's boundaries. We do know that John H. Reed was never ejected from the house. We also know that the canal company never gave either Elgin or Reed a deed to the house. Reed remained in possession of the house until his death in 1889.

Although the Canal Board apparently took no action regarding the Stone House, it is quite likely that Elgin did build the Stone House back in 1840–41. The house was situated directly opposite Elgin's warehouse which had been built over the flume at Lock 33 in 1839. In addition, Elgin's brother, William, was Superintendent, Collector and Lockkeeper in 1840, and was therefore in a good position to help obtain the Stone House site. In early February of 1840, William S. Elgin had complained to the Board about the scarcity of houses in the vicinity of Lock 33 and Harpers Ferry. He protested against a recent-

²³ Blackford, *Ferry Hill Plantation Journal*, pp. xiv, 10, 63n. For a brief history of the Blackford and Douglas Families at Ferry Hill Plantation, see also Robin Ziek, *Archeological Survey at Ferry Hill* (Denver: NPS, February 1979), pp. 6–7.

²⁴ Douglas to President and Directors, May 27, 1874, Ltrs. Recd., C & O Co. For the complete text of this letter, see Appendix C of this report.

²⁵ Douglas to Gorman, March 18, 1875, Ltrs. Recd., C & O Co. For the complete text of this letter, see Appendix D of this report. The letter from James C. Clarke could not be found.

ly passed Board resolution which ordered all “Superintendents to vacate the Lock Houses and appoint Lock Keepers.” At that time Elgin was living in Lockhouse 33, which was the only house near the lock. He begged the Board to allow him and his family to remain in the lockhouse. He said:

I occupy the Lock House at Lock No. 33, and have had the register of Tolls kept Besides the Shenandoah Lock with Lock 33 — since Sept. 1-/ 37 & Should like to still keep the same on account of there being few houses at this place — owned by individuals and they are occupied. The Government Property are rented to no person except they belong to the U. S. Armory, and I do not know of any house along the line of the Canal which I can get without being too far from my business. I also have several children at School which if I have to move from this place will be deprived of the advantage of a good school.

Elgin also suggested that the new lockkeeper (should one be appointed) be a young, unmarried man who could board with the Elgin family at the lockhouse. Elgin also reminded the Board that as Superintendent and Collector, he had to “have some place to keep” his “Books, papers, etc.” The Company could therefore avoid renting additional office space by simply allowing him to work out of the lockhouse.²⁶ William Elgin was eventually relieved of three of his positions (Keeper of Lock 33, Keeper of the Shenandoah River Lock and Collector of Tolls).²⁷ He continued, however, to serve as Superintendent of the Harpers Ferry Division for a number of years. It is quite possible that he aided his brother in obtaining the Stone House site because housing in the area was so scarce. The Stone House would have been conveniently located near the two Elgin warehouses and would have made a perfect residence for the Superintendent of the Harpers Ferry Division.²⁸

As can be seen from the preceding discussion, the earliest documentation we have on the Stone House dates from the early 1870s. The pre-Civil War and Civil War history of the house as detailed in James H. Elgin’s letter cannot be substantiated by further documentation. We do know, however, that the two Elgin brothers became large landowners in the Sandy Hook/Maryland Heights area and spent much of their lives in that section of the county. William remained in the service of the canal company and was probably much more mobile than his brother. At the time of his death (sometime between the Civil War and 1874), however, he owned a large farm adjacent to his brother’s farm in the vicinity of Sandy Hook.²⁹

James H. Elgin continued to operate his warehouse over the flume at Lock 33 until around 1855.³⁰ By that time he had probably already established himself as a well-to-do farmer in the Sandy Hook/Maryland Heights area. The Washington County Land Records of 1847 show that in that year Elgin brought into the county a young Negro slave from the State of Virginia. According to one contemporary source, Elgin owned a number of

²⁶ Elgin to Thomas, February 6, 1840, Ltrs. Recd., C & O Co.

²⁷ *Proceeding of the President and Board of Directors*, F, pp. 175–76, 254.

²⁸ No evidence was ever found to show that William S. Elgin ever lived in the Stone House.

²⁹ For details of the Elgin farms in the vicinity of Maryland Heights and Sandy Hook, see *Papers Relating to the Claim of James H. Elgin (and the Elgin Estate) for Quartermaster and Commissary Stores (1874–90)*, E–812, Vol. M–49, in Old Military Records, Record Group 92, National Archives, Washington, D.C.

³⁰ *Proceedings of the President and Board of Directors*, I, p. 208. In 1855, Elgin leased the warehouse to R. S. Blackburn & Company, and Blackburn in turn sublet the warehouse to John Preacher.

slaves at the outbreak of the Civil War.³¹ At the outbreak of the Civil War, James H. Elgin lived “in Pleasant Valley, Washington Co. Md. about one mile from Sandy Hook.” He owned two farms. The smaller farm was known as the “Home Farm” and contained ninety-five acres of land. The larger farm was located “very near the ‘Home Farm’” and was known as the “Lower Farm.” According to one source, the farms were “situated at the foot of Maryland Heights.” Another source says that the “Lower Farm” was near Sandy Hook. Elgin also owned “a tract of timber running from the base to [the] summit of Maryland Heights” on the east side of the mountain.

Since Maryland Heights overlooked “the Key of Virginia” (the mouth of the Shenandoah), Union troops were encamped in that vicinity all during the War. Union troops were encamped on Elgin’s lands “more or less from the time the War commenced until June or July 1865.” A “Remounting Camp” was established on his premises in June or July 1864 & continued until [the] end of [the] war. Thousands of soldiers were at times in this camp.” According to Elgin, all of his outbuildings were “occupied during the war by U.S. Soldiers.” A considerable amount of his produce and some of his farm animals were confiscated by the troops. The soldiers also destroyed his fences and cut down much of his timber on Maryland Heights. The timber was cut in 1863 “to impede the progress of the enemy up Md. Heights & [to] give range to the guns in the Stone Fort.” Afterwards, it was “hailed to camps on his [Elgin’s] farm & burned for fuel.” All of the damage to Elgin’s property was caused by Union troops. Confederate forces never occupied his lands for any considerable period of time. On August 14, 1874, Elgin filed a claim with the Quartermaster General’s Office for damages in the amount of \$11,176.25 His claim was rejected on October 22, 1878 because some testimony indicated that he had sympathized with the southern cause during the War. Elgin’s claim was apparently reviewed again during the 1880s but the records do not suggest that any damages were awarded.³²

³¹ James H. Elgin, List of Slaves, Recorded May 17, 1847, in Washington County Land Records, Liber IN2, folio 560. See also *Portrait and Biographical Record of the 6th Congressional District of Maryland*, p. 256.

³² Papers Relating to the Claim of James H. Elgin (and the Elgin Estate) for Quartermaster and Commissary Stores 1874–90. The Stone House opposite Lock 33 was not mentioned anywhere in these papers. Even if the Stone House had been damaged, Elgin probably would not have filed a claim since he did not have a deed to the house.

II: The Stone House under John H. Reed and Family 1865–1893

If we accept James H. Elgin’s history of the Stone House, the building was turned over to John H. Reed by the Union Army in April of 1865. According to Elgin, Reed was an employee of the canal company at the time the house was turned over to him. The Washington County Land Records do not show that Reed was ever given a deed by the canal company.

Nothing is known about John H. Reed prior to the year 1858. On May 5, 1858, Reed was appointed keeper of Guard Lock 3 and Dam 3.³³ The Washington County Land Records of 1858 show that Reed sold a canal boat called the *Elizabeth Reed* to one Henry T. Weld. In the same year, Reed also sold “a sow” and other miscellaneous farm issues to one Robert Cushen. The next year, Reed purchased a boat and a variety of miscellaneous articles from Samuel R. Edmunds. In 1865, 1866 and 1867, Reed bought or sold several pieces of real estate and other merchandise. In 1865, for example, he purchased ten acres of land that were a “part of Lot No. 26” on the Antietam Iron Works Plat. The deed described Reed as being a resident of Frederick County. In 1867, John Reed, then of Washington County, purchased the following property from John J. Norman:

One horse, one spring wagon, one set of harness, one 2 year old bull, one sow [and] also one building used as a store on Lock 37 on the Chesapeake and Ohio Canal. . . .³⁴

The canal company records do not show how long Reed remained as keeper of Guard Lock 3 after his appointment in 1858. During the nineteenth century, most lockkeepers were not allowed to stay in one place very long. On March 14, 1862, Reed was appointed to keep Locks 35 and 36. He was removed from that position on December 17, 1863. The canal company records do not mention Reed again as an employee.³⁵

By 1869, Reed had definitely established himself as a permanent and influential resident of the Sandy Hook Election District of Washington County.³⁶ In that year, Governor Oden Bowie appointed Reed to be the Justice of the Peace for the Sandy Hook District. It is interesting to note that Reed replaced James H. Elgin. Elgin had been appointed earlier, but had failed to qualify for the position. Reed was to serve out Elgin’s remaining tenure

³³ *Proceedings of the President and Board of Directors*, K, p. 19.

³⁴ Mortgage, John H. Reed to Henry T. Weld, 1858, in Washington County Land Records, Liber IN13, folio 303; Bill of Sale, John H. Reed to Robert Cushen, 1865 (recorded 1867), in Washington County Land Records, Liber IN12, folio 734; Bill of Sale, Samuel R. Edmunds to John H. Reed, 1859, in Washington County Land Records, Liber IN14, folio 243; Deed, Jonas and Catherine Bell to John H. Reed, March 18, 1865 (recorded April 25, 1867), in Washington County Land Records, Liber LBN2, folio 79; and Bill of Sale, John J. Norman to John H. Reed, March 21, 1867 (recorded April 15, 1867), in Washington County Land Records, Liber LBN2, folio 49. See also Washington County Land Records, Liber IN18, folio 506; Liber IM19, folios 603, 655, 714; Liber LBN1, folios 416, 419; Liber LBN2, folios 66, 79, 532, 800.

³⁵ *Proceedings of the President and Board of Directors*, K, pp. 264, 360.

³⁶ The Sandy Hook Election District was District Number Eleven.

of office. Elgin was probably disqualified because of questions concerning his loyalty during the War.³⁷

In April of 1874, John H. Reed made an application to the canal company to be allowed to lease a piece of land at Lock 34. He desired to erect “a grocery and feed store” on the site in order to service boatmen and others on the canal. Reed’s application was rejected three months later.³⁸ It is possible that Reed was already using the Stone House for a store and simply wanted to expand his business up to Lock 34. James H. Elgin indicated that Reed was running some type of drinking establishment at the Stone House in 1873.³⁹

An 1877 map of the Sandy Hook District shows that in 1877 Reed was using the Stone House as a store. Although the map simply referred to the Stone House as J. H. Reed’s store; the store probably also served as a drinking establishment. James H. Elgin’s complaint in 1873 that Reed “kept a drunken” house, probably had some validity to it. Reed and his family probably used the upstairs portion of the house for living quarters.⁴⁰

The Reed Family continued to hold the Stone House until the early 1890s. According to Thomas Hahn’s *Towpath Guide to the Chesapeake and Ohio Canal*, the Reed Family had “several buildings” on the riverside of Lock 33 from which they “sold feed for mules and groceries to canallers for at least two generations.”⁴¹ The canal company records, however, do not mention any leases to the Reed Family in this area.

John H. Reed died in 1889. While upon his sickbed, he willed all of his real estate to his son, Winfield S. Reed. The real estate consisted of three tracts. The first tract apparently contained the Stone House, although the Stone House was not specifically mentioned in the will. The tract was described as being “A tract north of [the] Harpers Ferry Bridge at the Maryland end of Maryland Heights consisting of about 2¼ acres of land.” The second tract was described as being “A tract of land on the West side of Maryland Heights, formerly one of the lots belonging to the Briens Iron Works.” The third tract was described as being “a tract of land in the Potomac River, West of Harpers Ferry, W. Va. and bounded by the Ches. & Ohio Canal, the Canal feeder and the Potomac River, comprising 4¼ acres and known as Reeds Island.”⁴²

Shortly after his father’s death, Winfield S. Reed sold a very small part of the Stone House Tract to Albertus Spencer. The portion which was sold at this time was “situated

³⁷ Commission, State of Maryland to John H. Reed, May 7, 1869 (recorded June 7, 1869), in Washington County Land Records, Liber McKK1, folio 560.

³⁸ *Proceedings of the President and Board of Directors*, M, pp. 159, 172. See also Reed to President and Directors, April 22, 1874, Ltrs. Recd., C & O Co.

³⁹ Elgin to President and Directors, August 5, 1873, Ltrs. Recd., C & O Co.

⁴⁰ *An Illustrated Atlas of Washington County, Maryland; Compiled, Drawn and Published from Actual Surveys by Lake, Griffing & Stevenson* (Philadelphia, 1877), p. 56. A copy of this map appears in Appendix E of this report. For Elgin’s reference to the “drunken house,” see Elgin to President and Directors, August 5, 1873, Ltrs. Recd., C & O Co. See also Appendix B of this report.

⁴¹ Thomas F. Hahn, *Towpath Guide to the C & O Canal, Section Three: Harpers Ferry to Fort Frederick* (Gobblers Ridge, West Virginia: Thomas F. Hahn Publisher, 1972), p. 9.

⁴² Will, John H. Reed, May 29, 1889 (probated August 2, 1892), in Washington County Register of Wills, Liber H, folios 452–453.

in the public road. . . near the North end of [the] Harpers Ferry Bridge.” The Stone House was not included in this sale.⁴³

By August of 1892, Winfield S. Reed had become indebted to Albertus Spencer. The exact cause of the indebtedness is not known. The Washington County Court Records do reveal, however, that the amount of the indebtedness was \$274.63. In December of 1892, Spencer won a judgment against Reed for the debt. Reed apparently could not pay off the debt in cash, so the Court ordered the Sheriff to sell the remainder of the Stone House Tract which included the Stone House itself. The Sheriff was also ordered to sell Reed’s “second tract” which was located “on the West side” of Maryland Heights “about a half mile West of” the Stone House. The “Sheriff’s Sale” was to be held on Tuesday, March 21, 1893. The sale was apparently held, but no money exchanged. Albertus Spencer apparently agreed to accept the Reed properties in place of money owed him.⁴⁴

⁴³ Deed, Winfield S. Reed and Mary C. Reed his wife, to Albertus Spencer, December 20, 1889 (recorded May 8, 1890), in Washington County Land Records, Liber 95, folio 72. Spencer paid \$50 for this portion of the Stone House Tract.

⁴⁴ Judicials, February Term 1893, in Washington County Court Records, Docket February – May and August – November 1893. See also Washington County Judgement Records, Liber GBO22, folios 459–461; and Deed, Sheriff J. N. Brumbaugh to Albertus Spencer, July 14, 1893 (Recorded same day), in Washington County Land Records, Liber 100, folio 605. Reed’s “second tract” was lot number 142 on the Antietam Iron Works Plat.

III: The Stone House under the Spencer and Weaver Families 1893–1947

Little is known about the very early years of Albertus Spencer's life. His name first appeared in the records of the canal company following the flood of May/June 1889.⁴⁵ This flood did extensive damage to the canal and forced the company into receivership. The second report of the receivers (filed June 9, 1890) listed all canal real estate and outlined the damage caused by the late flood. Under the heading, "Lock 33, Harper's Ferry," the report listed the following parcels that had been leased to Albertus Spencer before the flood:

Lot No. 167 — Storehouse berm side, swept away; lease to A. Spencer, expires 1897; rent per an. \$36.00

Lot No. 167½ — One acre land, more or less; A. Spencer, rent unknown.

As can be seen from the above list, by 1889, Spencer had leased a sizable amount of land (considering the narrow strip along the canal near Lock 33) near Lock 33 was obviously conducting a steady business. He probably sold groceries and animal feed at his "storehouse" near the lock. The sale of liquor was generally forbidden on canal property.⁴⁶

Soon after the loss of his store, Albertus Spencer purchased a portion of the Stone House Tract from Winfield Reed.⁴⁷ Since the canal was in ruins and its future uncertain, Spencer probably purchased this small parcel of land with the intention of placing a store on the site. Local folklore holds that Spencer moved his business to the opposite side of the county road soon after the flood.⁴⁸ It is unlikely; however, that he actually did build a new store in 1889. On the other hand, it is quite possible that he simply leased the Reed family's Stone House which had been used as a combination store and saloon for many years.

After Spencer received a deed for the Stone House in 1893,⁴⁹ he continued to operate a combination store and saloon in the building for at least two more decades. Some of the other residents of Western Maryland remember "Bert" Spencer and this period of the building's history. One native Harpers Ferrian whose father owned a barber shop, remembers that Bert Spencer was a regular customer at the shop. This same source, also

⁴⁵ Smith refers to this as the "Johnstown Flood", a not-infrequent confusion. Extensive flooding in the Potomac watershed was caused by the same storm that caused a lake in the mountains above Johnstown, Pennsylvania on the western side of the Eastern Continental Divide, to overtop the earthen dam built to create the lake, and to subsequently result in the devastating flood at Johnstown, PA. —kg (6/2012)

⁴⁶ Second Report of Maryland Receivers, June 9, 1890, in C & O Canal Restoration Group files, Seneca, Maryland. The location of these manuscripts will be cited hereinafter as Report of Maryland Receivers. For an example of the canal company's prohibition against the sale of liquor on canal lands, see prohibition against the sale of liquor at James H. Elgin's former warehouse, in *Proceedings of the President and Board of Directors*, I, p. 208.

⁴⁷ See footnote 43 of Chapter 2 of this report.

⁴⁸ Interview with 66 year old Edgar Marion Weaver, Pleasantville, Maryland, February 5 and 9, 1980. Mr. Weaver is the great nephew of Albertus Spencer.

⁴⁹ See footnote 44 of Chapter 2 of this report.

remembers that the Stone House was “Bart Spencer’s place.” Spencer’s place was considered off limits by all the churchgoing people in the area.⁵⁰ A former mule driver on the canal remembers the Stone House during the early twentieth century. This source recalled that when he first passed the house in 1908 music and singing could be heard and the drinks were obviously flowing freely inside. There were six intoxicated men on the porch. Three were asleep and the others were carrying on a lively argument. Before his boat could get through the lock, a fight broke out between the three men who had been arguing. The former mule driver claims that he later passed the house many times, and on most occasions there would be “some disturbance” at the Stone House.⁵¹

In 1917, a majority of the residents of Washington County voted to prohibit the sale of liquor in the county. In the following year, the state legislature ratified the Eighteenth Amendment which was to prohibit the sale of liquor throughout the country.⁵² According to local folklore, however, Albertus Spencer’s saloon had been forced to close sometime prior to 1917. Spencer’s license was apparently revoked because of a tragic incident which occurred near the establishment. On a sunny Fourth of July day sometime prior to 1917, a fight broke out somewhere north of Spencer’s saloon. The combatants in the fight were a group of Italians from Millville and a black resident of Harpers Ferry known as “Goose” Jackson. Jackson received a fatal cut to the stomach, but was able to stagger to Spencer’s place where someone gave him a gun. Then, still holding his stomach, Jackson returned to the scene of the fight and killed or wounded several Italians. Following this tragic incident, many residents of the area mounted a petition campaign to have Spencer’s place closed down. The petition movement was successful.⁵³

At about the time that nationwide prohibition became the law of the land, Albertus Spencer built a two-story frame house adjacent to the Stone House.⁵⁴ Spencer established his store in the new frame house and a museum was established in the Stone House. The Stone House would not be used as a store or saloon again. The museum contained an assorted collection of guns, swords, flags and other interesting articles. On the first floor in the center of the room was an old stove known as “John Brown’s Cook Stove.” Albertus Spencer’s great nephew, Edgar Marion Weaver, has an old photograph of the stove. On the back of the photograph, in longhand, appears what is purported to be the true history of the stove. It says:

⁵⁰ Interview with 87 year old Thomas Herrod, Washington, D.C., March 17, 1980.

⁵¹ Interview with 86 year old George W. “Hooper” Wolfe, Williamsport, Maryland, March 4, 1980. Wolfe was quite ill at the time of his interview. See also Wolfe, *I Drove Mules on the C & O Canal*, page 67. Wolfe apparently assumed that the Stone House was called the “Salty Dog Saloon” during the early twentieth century. Edgar Marion Weaver disagrees with that assumption.

⁵² Richard Walsh and William L. Cox, eds., *Maryland: A History, 1632–1974* (Baltimore: Maryland Historical Society, 1974), p. 654.

⁵³ Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 19, 1980. Interview with Thomas Herrod, Washington, D.C., March 17, 1980. See also Hahn, *Towpath Guide to the C & O Canal, Section Two*, p. 64.

⁵⁴ Edgar Marion Weaver believes that the two-story frame house was built well before his birth in 1913, and that it was being used as Spencer’s saloon at the time that Spencer was forced to close down. On the other hand, two elderly individuals (George W. “Hooper” Wolfe and Thomas Herrod) who were familiar with the area during this period have stated that they remember only the Stone House being on the site. The native Harpers Ferrian, Thomas Herrod, did not leave the Harpers Ferry area until 1917. He remembers only the Stone House.

The old Cook Stove, made by Hayward Bartlett & Co., Light St., Baltimore, Md., and now in Alburus Spencer's Museum Harpers Ferry W-Va. is identical Stove my Father (George W. Nichols) and Brother (David Franklin Nichols) took from John Brown's house (Dr. Kennedy farm) four and one half miles N.W. of Harpers Ferry, Samples Manor, Washington Co., Md. on Wednesday, Oct. 19th 1859. I sold said stove to Albertus Spencer in 1882. My P.O. address is Alburton, Baltimore Co., Md.

George H. Nichols

The authenticity of this history has not been documented.⁵⁵

In 1923, Albertus Spencer's wife, Mary E. Spencer, died. Back in 1915, Albertus had placed all of his real estate in trust and then had his trustee convey it all to Mary. Before her death, Mary willed the Stone House (which contained the museum articles) to her sister, Elizabeth A. Stockman. The remainder of her real estate was willed to her nephew (Elizabeth A. Stockman's son), Edgar Spencer Weaver.⁵⁶

Between 1924 and 1927, Elizabeth A. Stockman lived upstairs in the Stone House and continued to operate the museum on the first floor of the house. In 1927, Elizabeth decided to move the museum articles to Frederick to start a museum in that town. Once the articles were removed, Elizabeth gave her son, Edgar Spencer Weaver, a deed to the house.⁵⁷

For a brief period during the late 1920s, Edgar Spencer ("Spence") Weaver rented the Stone House to members of the Goodhart Family.⁵⁸ At the same time, Spence Weaver and his family were living next door in the two-story frame house. According to Spence Weaver's son, Edgar Marion Weaver, the two houses were so close together that they almost looked like one continuous building. Albertus Spencer was still living in 1927. He ran a store and restaurant downstairs in the frame house while the Spence Weaver Family lived upstairs. Albertus Spencer died sometime between 1927 and 1930.⁵⁹

⁵⁵ The photograph is in the possession of Edgar Marion Weaver, Pleasantville, Maryland. See also Plat 1 in the Illustrations section of this report.

⁵⁶ Deed, Albertus Spencer and Mary E. Spencer to Charles A. Little, Trustee, January 16, 1915 (recorded February 2, 1915), in Washington County Land Records, Liber 146, folios 26–27. See also Deed, Charles A. Little, Trustee, to Mary E. Spencer, January 21, 1915 (recorded February 2, 1915), in Washington County Land Records, Liber 146, folios 27–28; and Will, Mary E. Spencer, July 19, 1923 (probated November 27, 1923), in Washington County Register of Wills, Liber 15, folios 156–57. Shortly after Mary's death, Albertus Spencer gave deeds to his sister-in-law, Elizabeth S. Stockman, and to her son, Edgar Spencer Weaver. In these deeds, Spencer surrendered any rights or interests he may have had in the property which was willed by his wife to Elizabeth A. Stockman and Edgar Spencer Weaver. See Deed, Alburus Spencer to Elizabeth A. Stockman, February 9, 1924 (recorded February 14, 1924), in Washington County Land Records, Liber 167, folio 453. See also Deed, Alburus Spencer to Edgar Spencer Weaver, February 9, 1924 (recorded February 14, 1924), in Washington County Land Records, Liber 167, folios 453–54. By 1924, Spencer's first name was being spelled "Alburus" rather than "Albertus."

⁵⁷ Deed, Elizabeth A. Stockman to Edgar Spencer Weaver, February 12, 1927 (recorded February 15, 1927), in Washington County Land Records, Liber 176, folio 354. Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 5, 1980. Although Edgar Spencer Weaver was Elizabeth's son, he had been reared by his aunt (Mary E. Spencer) and her husband Albertus Spencer.

⁵⁸ Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 19, 1980. Spence Weaver was a close relative of the Goodhart Family.

⁵⁹ *Ibid.* To get an idea of the closeness of the two houses, see Plat 2 of the Illustrations section of this report.

The Stone House was occupied by members of the Goodhart Family for only a brief period after 1927. It was then left vacant.⁶⁰ On the other hand, Spence Weaver and his family continued to live upstairs in the two-story frame house until 1930. In that year, Spence Weaver moved his family into a new house up the mountain from the Stone House Tract. Weaver continued, however, to operate the store and restaurant in the frame house. Spence Weaver suffered a heart attack in 1931 while driving alone in his car near the Stone House. The car went out of control and plunged into the canal. Weaver died later as a result of the heart attack.⁶¹

Following Spence Weaver's death, his widow, Hester Gertrude Weaver, rented the two-story frame house out as a private residence. After prohibition came to an end in 1933, however, Hester Gertrude Weaver rented the two-story to various individuals who used it as a beer joint. It was during this period (ca. 1933–43) that the name "Salty Dog Saloon" was applied to the two-story frame house. The house was given the name because the recording "Salty Dog" became a favorite of the patrons at the saloon.⁶² According to Edgar Marion Weaver, the song was literally "played to death." During this entire ten-year period, the adjacent Stone House (which was later misnamed the Salty Dog) remained either vacant or was from time to time rented out as a private residence.⁶³

During the late 1930s and early 1940s, the two-story frame house (the Salty Dog Saloon) earned a reputation as a lusty and riotous establishment. Some present-day commentators have indicated that the Salty Dog was actually a house of prostitution. This is an oversimplification of what the place really was. It is true that one of the saloon's operators did get some young women to "hang around" the place. In addition, like all rural beer joints at that time, the Salty Dog was a place where the unchurched elements of society "hung out". Many men and women no doubt came to the saloon specifically in search of romance. Lovemaking, however, probably took place out in the cars, rather than in the saloon itself.⁶⁴

The automobile eventually caused the Salty Dog to be closed down. Because of the absence of sufficient parking space, automobiles made the place a nuisance for the whole surrounding community. On weekends, saloon patrons would simply park in the county road and thus tie up all the through-traffic. The county eventually refused to renew the saloon operator's license because there was insufficient parking. The two-story frame house ceased to be a saloon in the early 1940s.⁶⁵

⁶⁰ For a brief period around 1930 Edgar Marion Weaver and other young men did have a pool table in the Stone House. This was for private use, however, and was not open to the public. Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 19, 1980.

⁶¹ Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 5, 19, 1980. One secondary source maintains that Spence Weaver had been drinking his own imported moonshine and that he "backed his car into the canal in front of the Salty Dog and drowned." This same source maintains that Spence Weaver was deeply involved in the sale and distribution of moonshine during the Prohibition period. See Hahn, *Towpath Guide to the C & O Canal, Section Two*, page 64.

⁶² The reference is to the "Salty Dog Blues," an early 20th Century folksong. There are apparently many versions, but the earliest recordings of one version may have been that by Papa Charlie Jackson made in 1924. —kg (6/2012)

⁶³ Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 5, 19, 1980.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.* According to Edgar Marion Weaver, the successive operators of the saloon were: Lyle Groove (Groove actually ran it for James Grimes who held the lease from Mrs. Weaver); Bill Durben; and Everett

“Ed” Norris. According to Mr. Weaver, it was during Durben’s and Norris’ time, that the place really got a bad reputation. During that time, there were some pretty bad fights at the saloon and one of the operators generally had young women to “hang around” the place. Mr. Weaver said that he worked at the saloon during the time that Bill Durben was the operator. Mr. Weaver left the Maryland Heights area to work with the railroad at Brunswick in 1941. He does not remember the exact year that the Salty Dog was closed down. Information on the operators of the Salty Dog was also obtained from 87 year old Robert Waters, in an interview at his home in Dargan, Maryland, February 5, 1980.

IV: Owners of the Stone House since 1947

The Stone House and the two-story frame house remained in Hester Gertrude Weaver's ownership until 1947.⁶⁶ In that year, Hester sold all of the Stone House Tract to Patrick John O'Brien of Washington County, Maryland. O'Brien rented out the Stone House and the two-story frame house as private residences.⁶⁷ In 1953, O'Brien sold all of the Stone House Tract to Richard and Marie Torres of Washington, D.C. It is not known how the houses were used under the ownership of the Torres Family. In 1958, Richard and Marie Torres sold the Stone House Tract to the Maryland Department of Forests and Parks. The Maryland Department of Forests and Parks in turn deeded the tract to the United States in 1963. At that time the tract became part of the Harpers Ferry National Monument.⁶⁸

By 1963, the two-story frame house had almost collapsed. Since that time, it has disappeared. Today, only its foundation can be seen. The Stone House had also been allowed to deteriorate before 1963. The house was allowed to deteriorate further under the National Park Service after 1963. During the mid-1960s, the Stone House was badly damaged by fire. Today, the Stone House is merely a shell. Its roof, windows and doors have all disappeared.⁶⁹

⁶⁶ After the Salty Dog was closed down, Hester G. Weaver probably rented out the two-story frame house as a private residence until she sold it in 1947. It should also be remembered that during this time she was also renting the Stone House as a private residence. Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 5, 19, 1980.

⁶⁷ Deed, Hester Gertrude Weaver to Patrick John O'Brien, December 10, 1947 (recorded the same day), in Washington County Land Records, Liber 245, folios 7–8. Interview with Edgar Marion Weaver, Pleasantville, Maryland, February 5, 19, 1980.

⁶⁸ Deed, Patrick John O'Brien to Richard and Marie Torres, April 27, 1953 (recorded April 28, 1953), in Washington County Land Records, Liber 275, folio 135. See also Deed, Richard and Marie Torres to the Department of Forests and Parks, State of Maryland, December 18, 1958 (recorded December 24, 1958), in Washington County Land Records, Liber 342, folio 770; and Deed, Department of Forests and Parks, State of Maryland, to the United States of America, February 13, 1963 (recorded February 1, 1965), in Washington County Land Records, Liber 419, folios 65–71.

⁶⁹ Phone interview with C & O Canal Maintenance Division Chief, George Hicks, February 25, 1980. Mr. Hicks says that when he first joined the canal staff in 1961, the walls of the two-story frame house were still standing although the roof had already disappeared while the roof of the Stone House was still intact.

APPENDIXES

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Appendix A

Antietam Iron Works Plat made by S.S. Dowin in 1858.

Recopied by E.E. Piper in 1883 and located in the Plat Files, Washington County Courthouse, Hagerstown, MD



Appendix B: Page 1 of 4

Elgin to President and Directors, August 5, 1873, in Ltrs. Recd., C & O Co.

Recd. by st.
Washington C. Md.
Augt. 5. 1873
To the Honorable Body,
The Pres^t & Directors of the
Ches & O Canal,
Gentlemen:
I beg leave to report to
your honors that in the year of 1840
I had permission from Chas. B.
Rish, Chief Engineer of the Ches.
& O Canal & W. S. Elgin Supt. to
build a stone pier on the lands
of the Ches & O Canal Co. near Lock
No 33. opposite Harpers Ferry V. A. and
that they would see that the Canal
Co. would give me a deed for the site
on which I built, and that in the

Appendix B: Page 2 of 4

neglectful & negligent, never applied
to the Company for a deed, consequently
I never got one,

I will further report
to your honors, that during the war
in March or April 1865, by some
misrepresentation to General Stephenson,
the Commanding Officer at Warpers
Ferry, he ordered the Provost Marshall
to dispossess my tenants from said house;
& gave John W. Wood possession of the
same, who was at that time employed
on the Canal, & since that time, he
has retained possession of it, paying
me no rent & refusing to give possession
of the property & has given the property
in repairs, consequently the roof &
Porch, are in a very dilapidated
condition. He has always kept
a drunken & dissipated house, so
that many Respectful families are

Appendix B: Page 3 of 4

...apaid to pay the house,
I now beg your Honor to give me
a deed for the house which will
enable me to dispose of Mr. Reed
& remove the nuisance which has
been imposed upon our community
during the time he has occupied
the premises.

I will also state
that the Stands on the Edge of the
County Road where a large rock
did extend out in the Edge of the
Road which I blasted & removed,
this spot was said to be of no value
to the Canal by Mr. Risk & all
the Company could require wood
to be the material around the building
for repairing the Canal,

If your Honor
should favour me with a deed
You may be compensated by

Appendix B: Page 4 of 4

Appl of J H Elger
 for a deed for Stone
 House near Harpers
 Ferry Bridge
 J-

enclosing the Canal Co with \$36
 thirty six dol. which has amount
 has been due me from the Co since
 1842.

You will please be kind
 enough to let me hear from you
 at your earliest convenience
 Very Respectfully
 Yours friend
 J H Elger
 Dec. 4. 1873
 Read & adapted
 R. Harwell

August 8-1873
 Read & referred to
 the President
 Rufus Jewett

I have the honor to report
 that the records of the Company
 donat. show that any amount
 has made as claimed. I therefore
 respectfully recommend that the application
 be rejected
 A. G. Forman

Appendix C: Page 1 of 3

Douglas to President and Directors, May 27, 1874, in Ltrs. Recd., C & O Co.

Hagerstown, 27. May 1874.

To the President & Directors of the Ches. & Ohio Canal Comp:

Sirs: In August 1873, Mr. James W. Elgin a very worthy respectable gentleman of our County, addressed a letter to yr. Board in regard to a House & property, which he claimed title for which is at present in the occupation of Mr. Geo. H. Reed, near Hagerstown Ferry. Mr. Elgin says that about the year 1840, when he had a warehouse was doing business on the Canal he obtained permission to erect the House in question & did so; and afterwards the Canal authorities promised to make him a deed. The property remained in his possession under claim of ownership until the war broke out, and sometime during the war the property was taken by order of Genl. Stephens on, I think at first for a hospital. It then passed into the occupation of Mr. Reed, who now refuses to surrender it & dispute, Mr. Elgin's title. For further particulars I would beg leave to refer you to Mr. Elgin's letter.

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which was dated the 5th Aug^r 1873.

One thing is very certain - Mr Reed has no claim to the property, whatever. It may be a matter between Mr. Elgin & the Canal Company. Mr. Elgin is a man of responsibility & character and I have no doubt of the exactness of his statement. He is anxious and to receive a deed for the House from yr. Company and if his statement is correct he ought to have one. I am sure there will be no disposition to deprive him of any rightful claim he may have.

I would ask that the Board cause facts Enquiry into this matter as may be necessary to ascertain the facts, so that they may determine whether or not Mr. Elgin is entitled to the deed he asks for from the Company.

I am, Gentlemen
Very Respectfully,
Yrs
Wm Douglas

At Hyd. Buildings
in Com of
Chas Elgin

From 16th Dec
Reed & Douglas
Committee. Done

Appendix D: Page 1 of 3

Douglas to Gorman, March 18, 1875, in Ltrs. Recd., C & O Co.

✓ NY Legu
Claim for
House at.
Harper Ferry

Appendix D: Page 2 of 3

Hazletown, Ill^d
 18th March 1875.

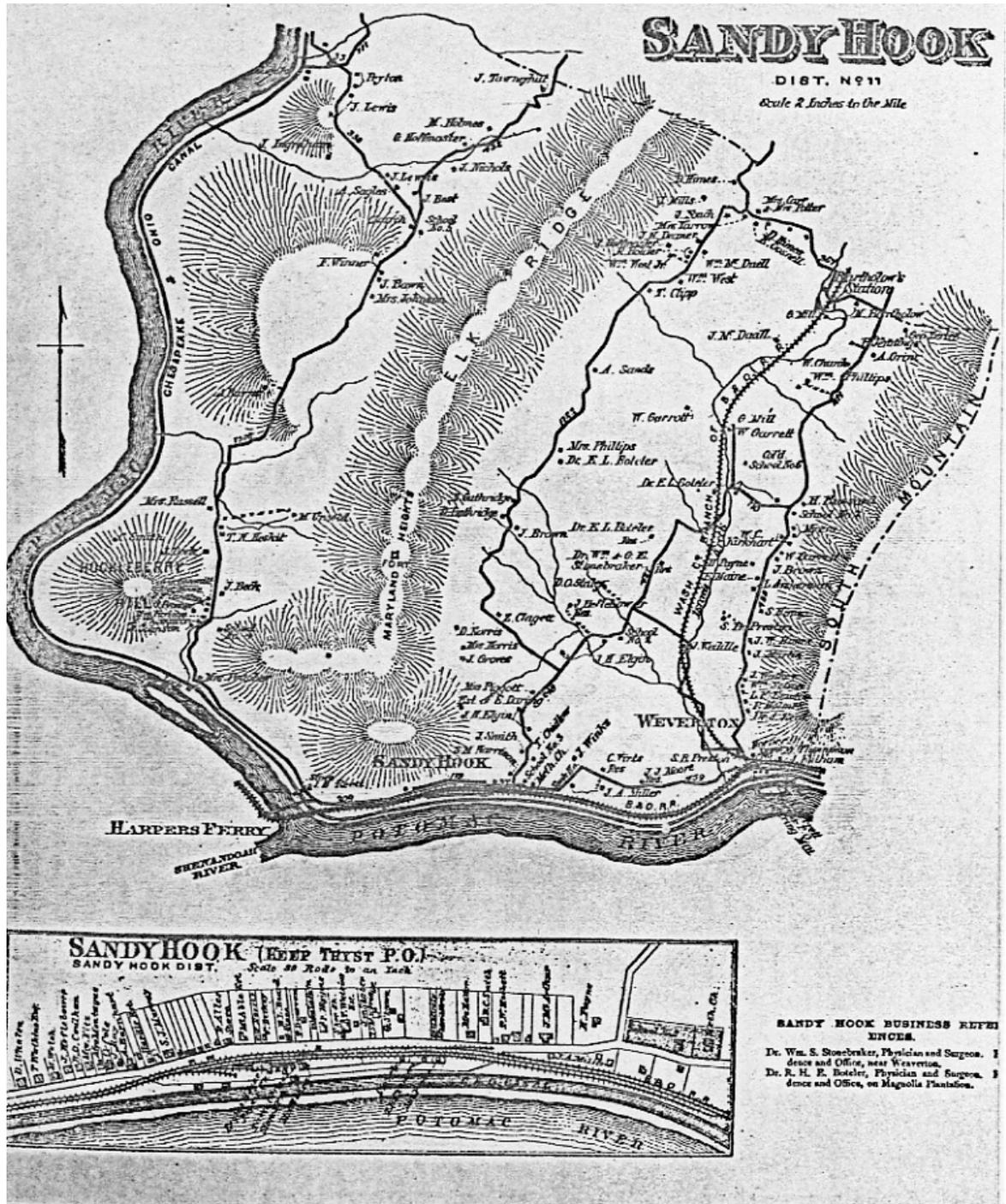
Hon A. P. Gorman, Pres^d.

D^r Sir. In the matter of the claim of
 W. D. H. Elgin in regard to the house now occu-
 pied by Mr. H. Reid & concerning which I wrote
 to you for Mr. Elgin some time ago, he has handed
 me the enclosed letter of Mr. Jas. C. Clarke. Elgin
 has always said that the house was upon the
 ground of the Canal Comp. & that he built the house
 with the understanding that they would give him
 a deed for it. It appears by the enclosed that by
 the survey made under Mr. Clarke, the house
 was found to be on the Canal property. As the
 present occupant Reid is a mere trespasser
 they are right to the possession of the property
 which Elgin built, if the Canal own the property,
 they are entitled rather to take possession of it, as
 it is to Elgin.

Yours truly,
 H. S. Douglas

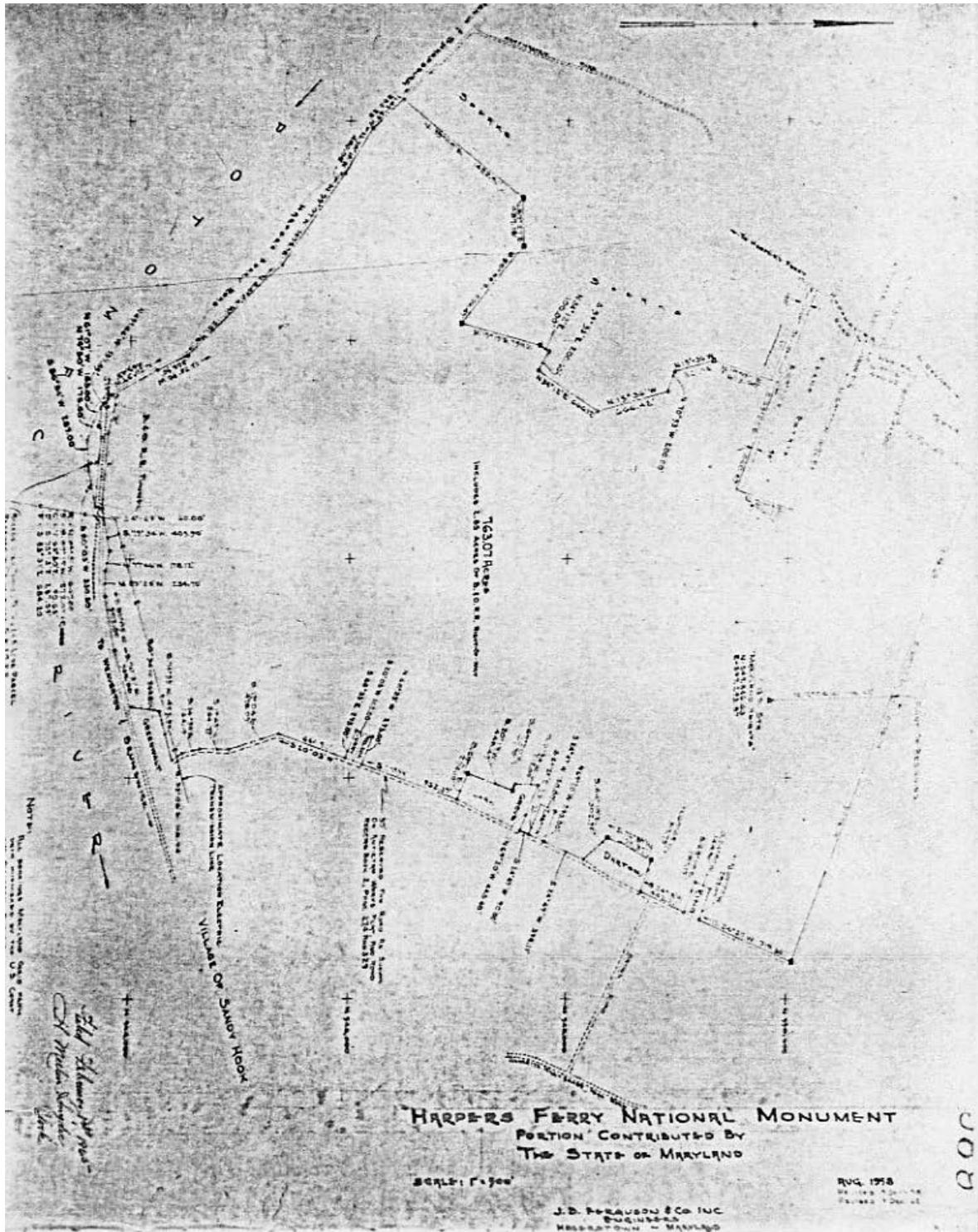
Appendix E

Map of Sandy Hook Election District
From An Illustrated Atlas of Washington County, Maryland (1877)



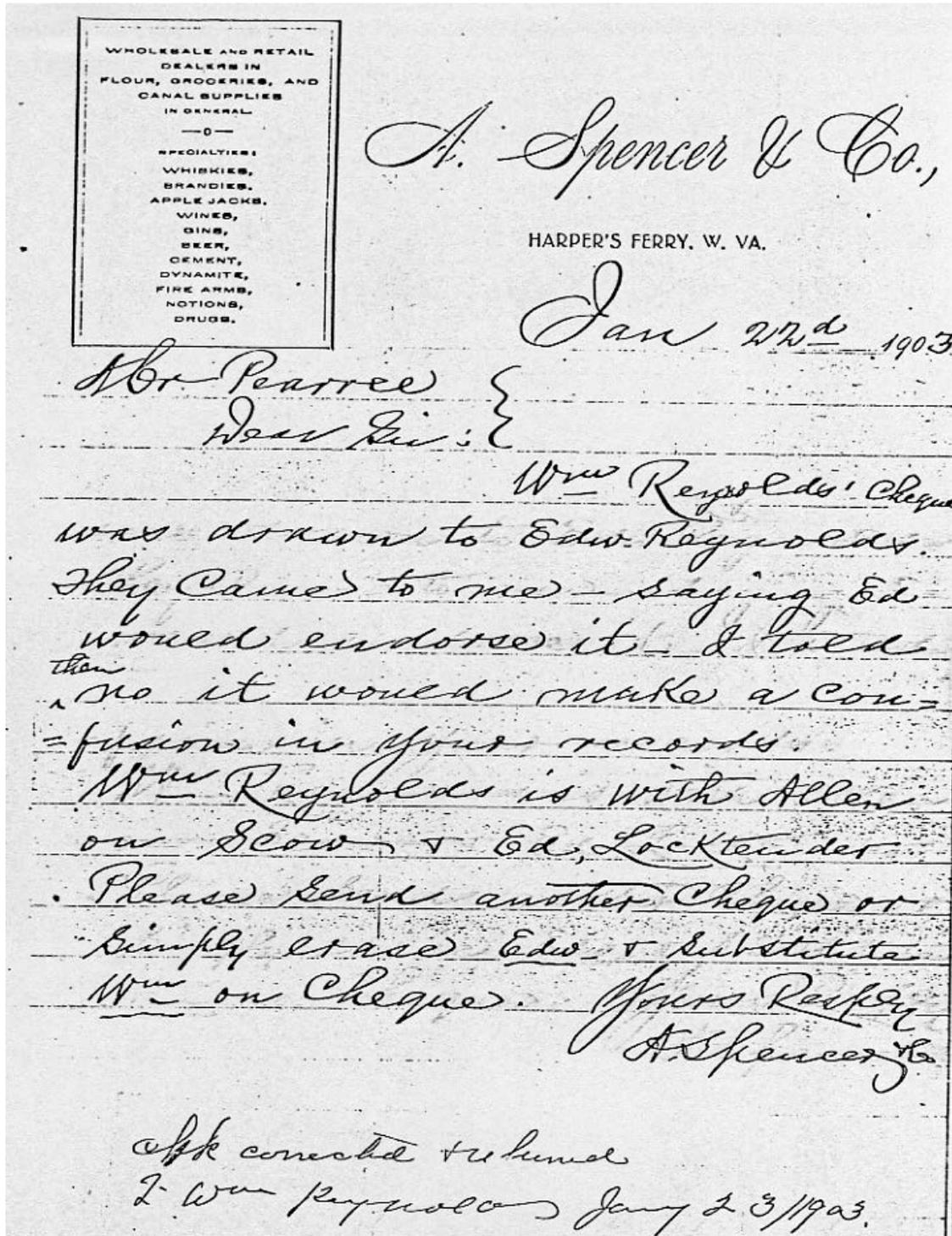
Appendix F

Map of Harpers Ferry Monument: Portion Contributed by the State of Maryland.
Filed Washington County Courthouse, February 1, 1965.



Appendix G, Page 1 of 2

Copies of Letters from A. Spencer & Company to Paymaster of the C & O Canal, January 22, 1903 and March 2, 1906. Taken from Ltrs. Recd., C & O Co. and the Canal Towage Co., 1900-1915. During this period, Albertus Spencer was either a disbursing agent for the canal, or a major creditor to canal employees in the Dam 3 Area. Note also the variety of articles and supplies sold at Spencer's store.



Appendix G, Page 2 of 2

WHOLESALE AND RETAIL
 DEALERS IN
 FLOUR, GROCERIES AND
 CANAL SUPPLIES
 IN GENERAL
 —0—
 SPECIALTIES:
 WHISKIES,
 BRANDIES,
 APPLE JACKS,
 WINES,
 GINS,
 BEER,
 CEMENT,
 DYNAMITE,
 FIRE ARMS,
 NOTIONS,
 DRUGS.

BUY AND SELL FOR CASH ONLY.

A. Spencer & Co.,

HARPER'S FERRY, W. VA.

March 2^d 1906

*Mr J Graham Pearce
 Paymaster C & Canal*

Dear Sir:

Inclosed

*please find orders from Oliver
 Peacher (Mason) and Sidney Cross
 Lock Tender, Lock 36 - Money advanced
 to Cross, to buy Cow + to Peacher
 to pay rent + purchase clothing.*

*Sidney Cross order for \$22.⁰⁰
 Lock Tending January + February.*

*Oliver Peacher Masoning in
 February \$20.⁰⁰*

Thanking you in advance.

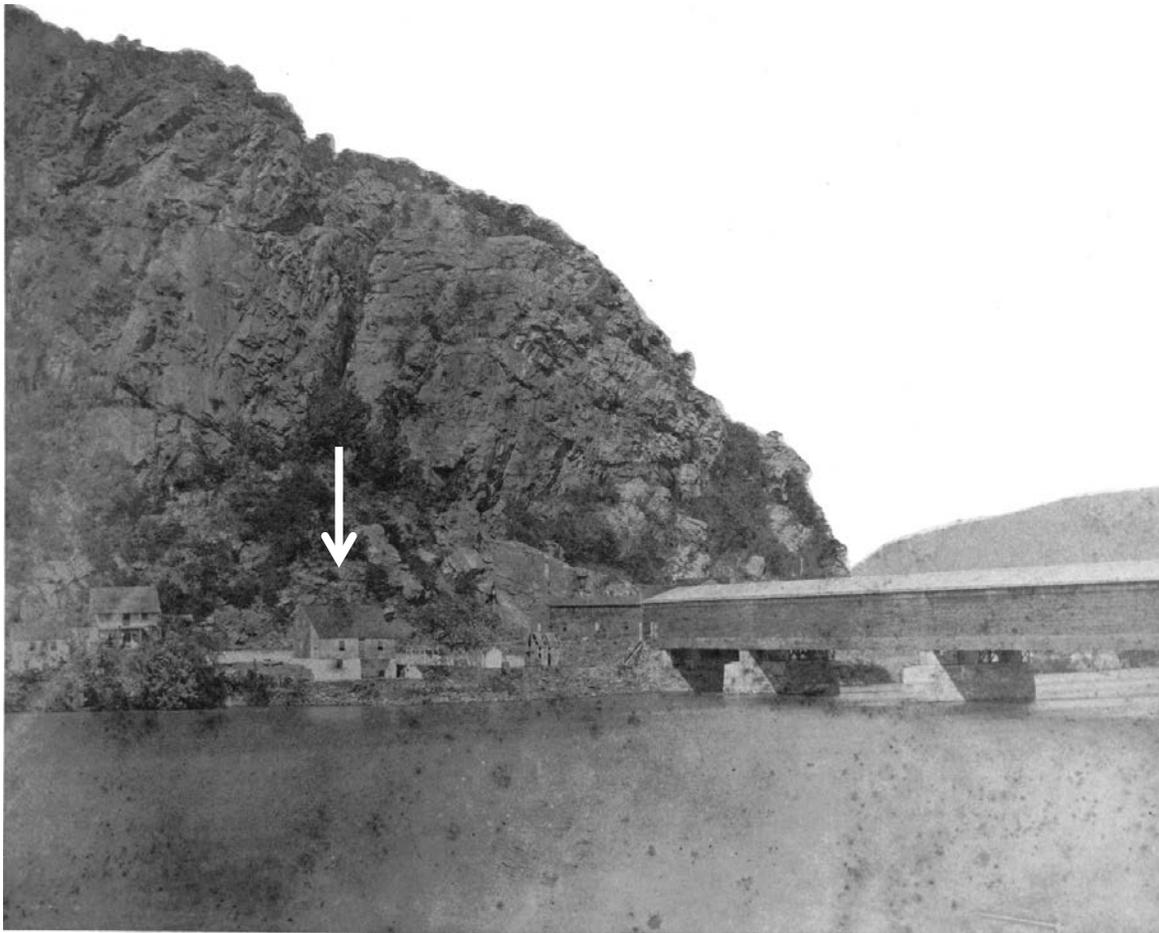
*Yours Respectly
 A. Spencer & Co.*

ILLUSTRATIONS

(For additional photographs of the Stone House, see Edward D. Smith's *Historic Resource Study, Dam 3 Area: Shenandoah River Lock to Lock 36*. Denver: NPS, December 31, 1979.)

1.	Pre-1861 photograph of the Lock 33 area from the now-West Virginia side.	32
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1. Pre-1861 photograph of the Lock 33 area from the now-West Virginia side. The Stone House can be clearly seen just left of center. Courtesy Harpers Ferry National Historical Park Library.



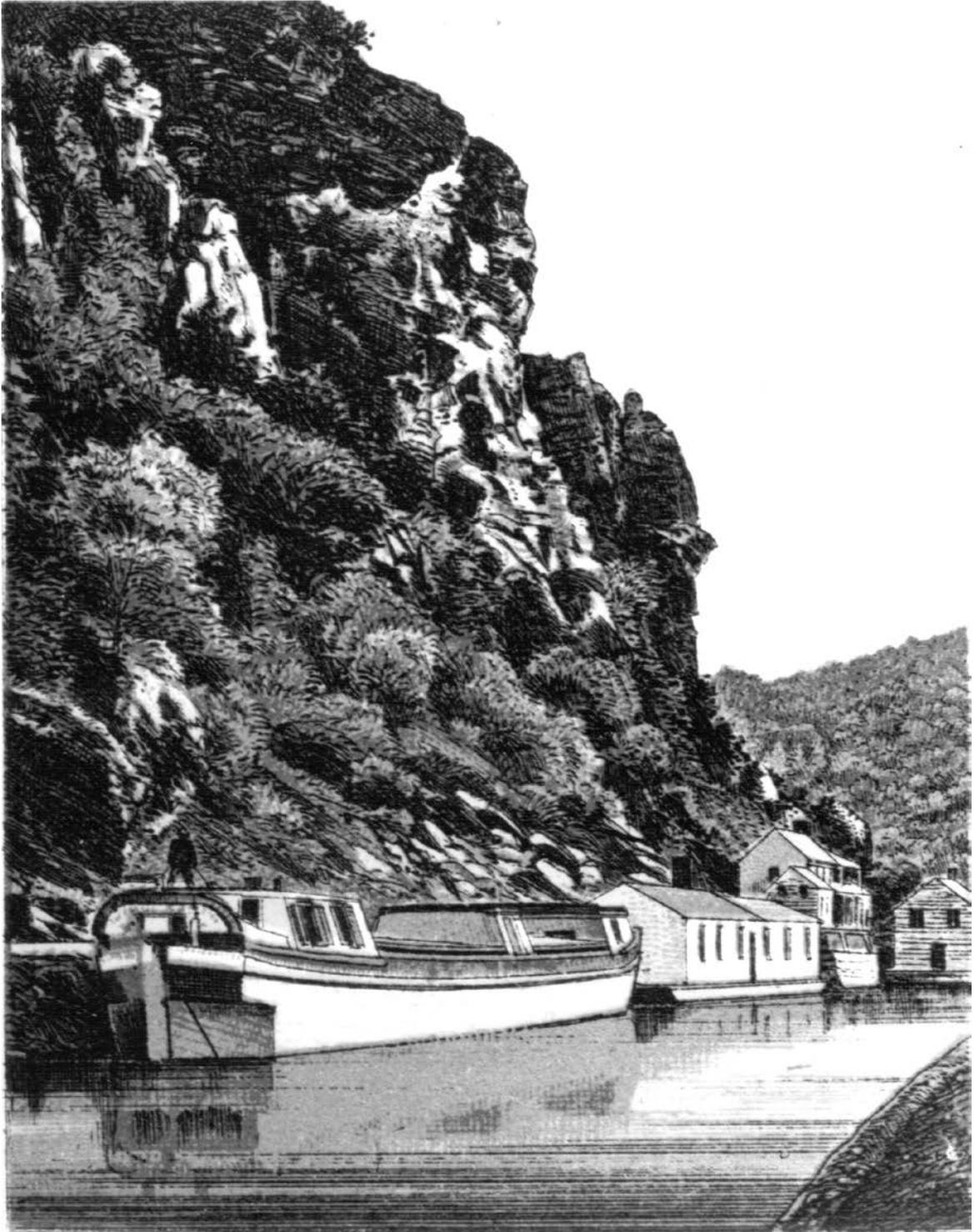
2. Lock 33 area c. 1868 from the upstream towpath. Note the Stone House at the base of Maryland Heights. Courtesy Harpers Ferry National Historical Park Library.



3. Drawing of the Harpers Ferry Road and Stone House after the Civil War (likely from the 1870s) with the vertical posts and part of the iron truss system of the Potomac Bridge visible in the background.



4. Drawing of the Lock 33 area during the 1870's. Note Stone House at base of Maryland Heights. Courtesy Harpers Ferry National Historical Park Library.



SCENE ON THE POTOMAC.
NEAR HARPER'S FERRY.

5. Wrecked C & O Canal boats at Lock 33 after the 1889 flood. Note the Stone House at the base of Maryland Heights. Courtesy Harpers Ferry National Historical Park Library.



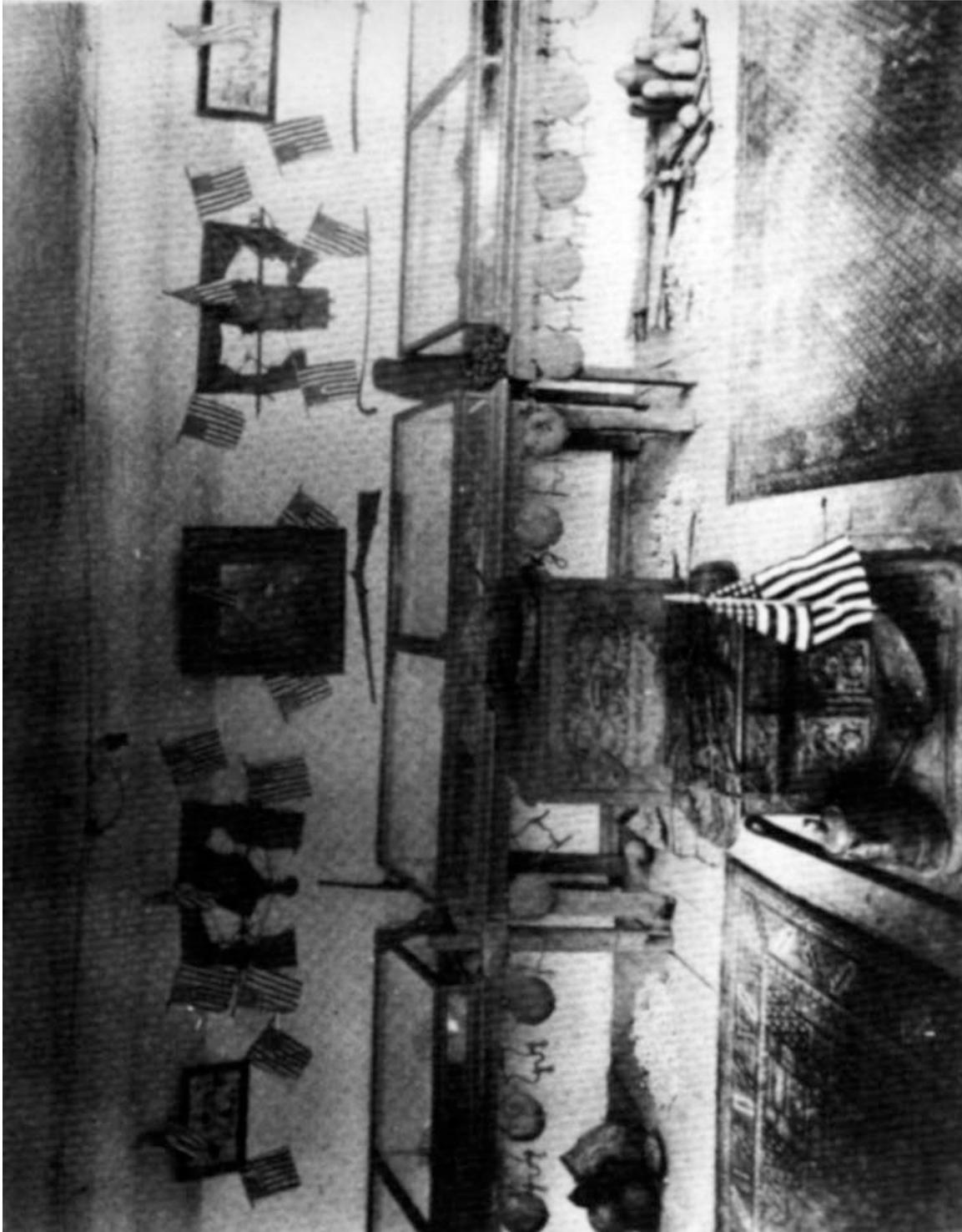
6. The Lock 33 area showing the Spencer/Weaver two-story frame residence and store constructed in 1918 on the downstream side of the Stone House. Note also the 1894 tunnel and the second railroad bridge that eliminated the sharp curve at the Maryland end.



7. Detail of the structures at Lock 33 seen in the picture above. The warehouse over the flume on the land side of the lock can be seen in front of the Spencer/Weaver building.



8. Undated photograph showing the inside of the Stone House when it was being used as a Museum (c. 1918–1927). “John Brown’s Cook Stove” stands in the center of the room. Courtesy of Edgar Marion Weaver.



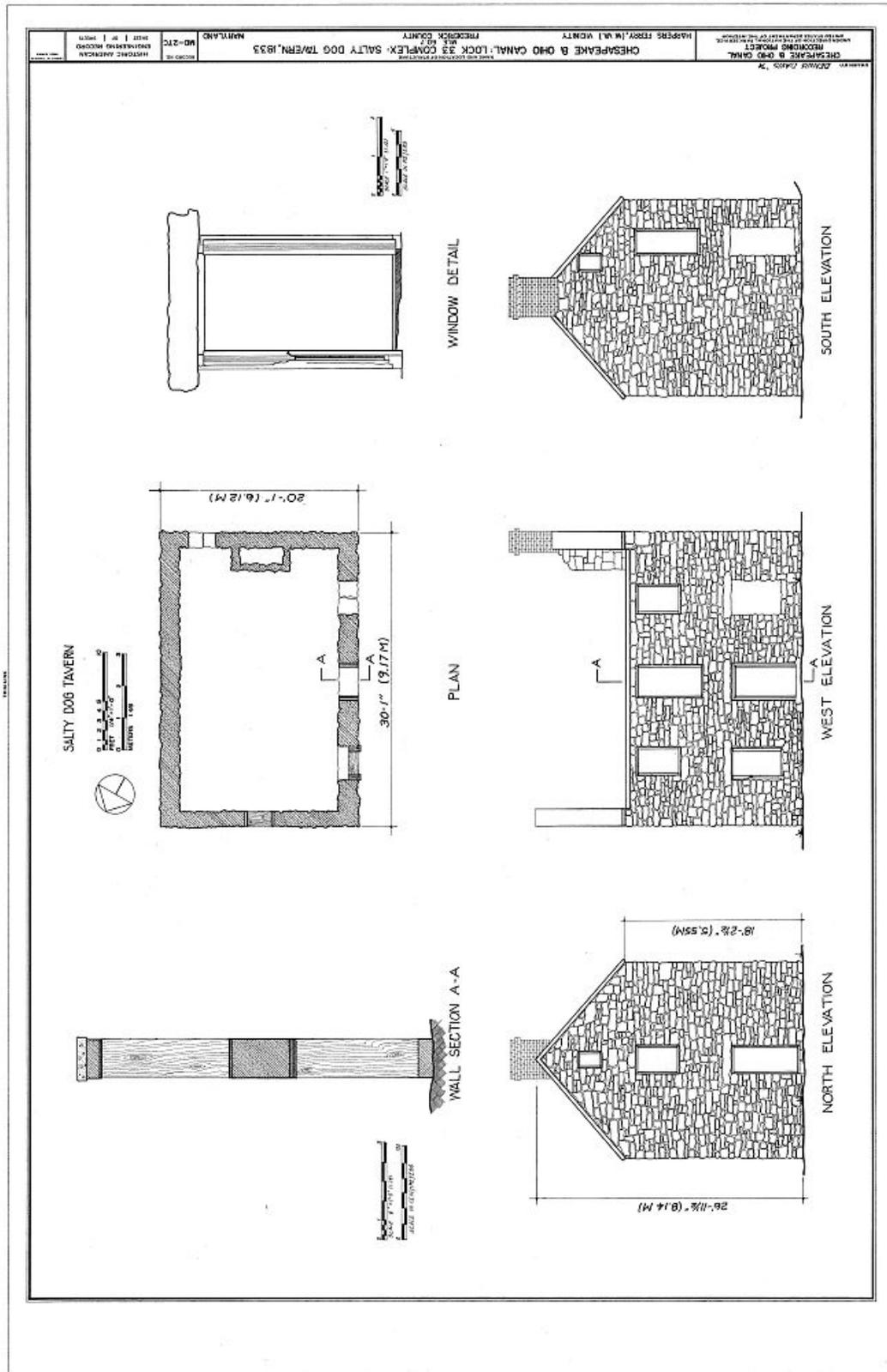
9. Undated photograph showing the two-story frame house with the Esso pump on the porch, automobile, and the adjacent Stone House in the background. Courtesy Edgar Marion Weaver.



10. The Stone House and Spencer/Weaver building c. 1950. Lock 33 is seen on the right with the bypass flume in the center of the image. The Stone House and Spencer frame residence and store are in the background to the left and the 1931 Potomac railroad bridge over the canal is in the background to the right. The image pre-dates the collapse and removal of the Spencer/Weaver building (after 1963) and the 1968 fire that badly damaged the Stone House. The photograph is from the Historic American Building Survey collection.



11. Historic American Building Survey 1974 measured drawing of the Stone House.
(Note that this drawing includes the "Salty Dog Tavern" misnomer.)



12. 2007 image of Lock 33 and the Stone House. Photograph by Craig Swain.



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