

THE WATERFALL MILLS

The Waterfall Mills constitute a unique case in this study in that they are the only water mills on Catharpin Run for which a writ of *ad quod damnum* has been found. Thus, they are the only mills on this stream for which the date of construction can be definitely established. *Ad quod damnum* is an action of the county court by which the prospective builder of a mill is given the right to erect a dam across a watercourse, and by which water rights for a mill are initially secured. These rights are transferable to successive owners each time the mill is sold. In some cases, persons desiring to erect a mill owned land on both sides of the stream where the dam was to be built, so that it was necessary only to establish that the dam would not obstruct navigation or "fish of passage." In other cases, such as the action at Waterfall, the land on the opposite side of the stream from the mill site was owned by a person other than the builder of the mill, and it was then necessary for the court to condemn a parcel of land for the opposite abutment of the mill dam and to order the builder of the mill to compensate the landowner for his loss. The early Virginia government considered milling a public service, and the *ad quod damnum* is an example of the right of eminent domain being exercised for the benefit of the community as a whole.

In the Prince William County records, petitions for writs of *ad quod damnum* and the writs themselves are copied directly into the deed books, along with bills of sale, deeds of trust, etc. Nevertheless, very few of these actions are to be found, probably because of the loss of many of the records and because of incomplete indexing. The *ad quod damnum* action for the Waterfall Mills is typical of those in Prince William County in the late 1700's and early 1800's.

In Deed Book Z, pp. 393-395 is found:

"Brown vs. Whiting — proceedings about a mill

"John Brown gt. came in to court and made application for a writ of *Ad quod damnum* to condemn one acre of the land of Elizabeth Whiting & Lewis Burwell Whiting, for the purpose of an abutment for building a dam for a water grist mill, which he proposed to build on his land opposite to the said Elizabeth & Lewis Burwell Whiting's Land. It is therefore ordered that the said writ be issued accordingly and executed . . . and to say to what damage it will be to the several proprietors and whether the mansion house of any such proprietor or the offices Curtillage or gardens thereunto immediately belonging or orchards will be overflowed to enquire whether or in what degree fish of passage and ordinary navigation will be obstructed . . . John Brown shall have leave to build the said mill and dam." (January 4, 1798)

The court established that "the water dam'd up will damage no other person whatever (the said John Brown excepted)", and the *ad quod damnum* went into effect September 7, 1798. However a later deed reference noted that the acre of land that the court had condemned for the opposite abutment might eventually prove insufficient, although there is no record that more acreage was eventually condemned.

Deed Book 4, pp. 351-353, contains the next reference. This is a bill of sale of the mill property by John Brown and his wife Susannah to Benjamin Dean, dated January 26, 1811.

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Water Mill on
Catharpin 1978

"Whereas the said John Brown being seized in fee of a tract of land lying upon Bull Run [Little Bull Run] and Catharpin Branch thereof in the said county of Prince William upon which there was a good site for a Mill by procuring an acre of Ground adjoining belonging to Lewis Burwell Whitings condemned for that purpose, that the said John Brown in order to procure such Condemnation applied to the County Court of Prince William to grant them a writ of ad quod damnum, which was by the Court directed to be issued and a Jury was by the Sherif summoned to meet on the Land upon a certain day, on which day the Jury assembled and John Prosser agent for the said Lewis Burwell Whiting appeared before the Jury informed them that if a larger quantity of land than one acre should be found necessary to accomodate the Mill Scite of the said John Brown he as the agent of the said Lewis Burwell Whiting gave his consent to that larger quantity"

Brown seems to have been an enterprising man, for it is noted in this deed that the sixteen acres transferred to Dean contained "two Grist Mills and a saw mill." Undoubtedly the sawmill was also water-powered, and all these industries probably used the same dam and race. If Brown received final permission to erect his dam in September, 1798, he probably built the first of his grist mills in 1798-1799 and the other grist mill and the sawmill between that time and 1810.

The final portion of this deed contains a provision under which Benjamin Dean was given the right to dig a supplementary mill race from Little Bull Run, about a mile away, to the Waterfall Mills on Catharpin Run in order to furnish additional water power to the mills he acquired in 1811:

". . . in case the said Benjamin Dean his Heirs or assignes shall at any time hereafter incline to erect Dams and erect Races in other places for the better accommodation of the said Mills especially for the conveyance of the water of Bull Run through that Lott of Ground devised by him the said John Brown unto Jacob Wilson that he shall have full Liberty and power to erect Dams and cut other Races upon and through the lands of him the said John Brown and the right and power of conducting the waters of Catharpin & Bull Run to and through the said Races and to take Earth Stone and Gravel from the lands for the purpose of repairing the same as often as may be needfull"

This provision of the deed was to cause trouble for Dean, for it is clear that he used it to divert the other stream. *People and Places* notes, "When early in the nineteenth century a race was dug from Little Bull Run at Antioch in order that additional power might be diverted to the Waterfall mills, farmers protested in court that their water supply had been diminished and had the stream turned back to its natural course." (p. 183) At this writing, records of these proceedings have not been found, but it is known that the diversion channel was to the north of the Antioch-Waterfall road, and traces of it may still be seen on the property of Ed Wright near Antioch Church.

The history of the mills is confusing at this point. In Deed Book 4, p. 317 is a mortgage dated January 27, 1811, from Benjamin Dean to John Brown, apparently enacted one day after Brown sold the mills to Dean. Yet it is found earlier in the deed book than the bill of sale. Dean seems to have owned the mills from 1811 to 1818, at least. A man of substance, he was appointed a commissioner

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of the public roads on December 1, 1817 (Deed Book 7, p. 28), with the road entrusted to his care being "from Bull Run Church by Deans Mill to the cross roads at corner of Chs. Tylers land & fence." This was the road leading from Hopewell Gap on the Fauquier line, by the old Bull Run Episcopal Church above Antioch, to Waterfall.

On January 7, 1818, as recorded in Deed Book 7, p. 97, Dean trusted the Waterfall Mills to William Herbert, Jr. of Fairfax County. It is noted that Dean was indebted at this time to a Joseph Dean of Alexandria. William Herbert also owned a "merchant mill, two tracts of land and a lot of ground" at Buckland on Broad Run, which he sold to Thomas Smith of Alexandria February 2, 1822 (Deed Book 8, p. 185). He had acquired these other properties in 1819 from a David Ross, who was "indebted to Joseph Dean's estate." This is the last reference to William Herbert, and the last transaction involving the Waterfall Mills, that has been found in the county records.

The mills, however, were operating in 1849, as shown by a deed of property somewhat to the west that states, "Beginning in a lane leading to Waterfall Mills . . . thence with the sd. lane to a Rock at the mouth of sd. lane and near Antioch meeting house." This deed, from Enoch Foley to William E. Foley, was for mountain land west of Antioch, "on part of which the old Bull Run church was situated & stood" (Deed Book 20, p. 394, December 31, 1849).

Deed Book 26, p. 221, containing the "survey and division of the estate of Willis Foley, dec'd" (Foley lived at Mount Atlas, the Whiting mansion built in the 1790's before the mills were erected), has "with an old dam 20 poles to a poplar at the lower side of said dam on the bank of Catharpin." This survey was made August 24, 1865, and "old dam" would indicate that the dam was no longer in use.

Two more deeds for property adjoining the mills mention the dam or race. Deed Book 41, p. 8, Foley's Commissioner to Pickett, July 1, 1891, mentions "the mill race" and has as a corner of the property "a large poplar below the upper dam." Deed Book 42, p. 72, Pickett to Burwell, August 5, 1892, mentions both "saw mill yard" and "upper mill dam."

It appears that the Waterfall Mills went out of operation sometime during the last half of the nineteenth century. But there was an old mill building at Waterfall in the early 1900's. Mrs. R. J. Wayland of Manassas (the former Florence Gossom), recalled that this building stood as late as 1914. In later years it was owned by her uncle, G. A. Gossom, who later operated Waverley Mill, and she remembered watching her uncle milking his cows beside the water wheel. Mrs. Wayland remembered it as a frame building on a stone foundation, and said that it had been unpainted for many years. She did not know who last operated the mill, but said it must have closed "sometime after the war, in my mother's time." She stated that her uncle tore down the building in order to erect a barn, which is still standing, on part of the old stone foundations. This barn is immediately west of the old G. A. Gossom store, at the intersection of Routes 680 and 601.

Mrs. Wayland remembered that the tail race from the water wheel ran across Route 680 back of the store. It has long since been filled in. She said Catharpin Run was dammed "way back of the mill," and that the race came down the

hill to the overshot wheel. A low stone wall at the north side of the present barn seems to have marked the western edge of the wheel pit. Mrs. Wayland remembered playing in the disused mill as a girl, and she particularly recalled the big bins full of corn that her uncle stored in the building.

Waterfall had the reputation of a wide-open community as late as World War I. A barroom was located on the later site of Gossom's store, and according to Mrs. Wayland, there were "lots of people lying around drunk." Harry Polen of Catharpin remembered a blacksmith shop just south of the old mill, and said that there was another barroom on the north side of the road after passing the old ford on Catharpin Run coming from Woolsey. Polen said that the old mill was standing in the early 1900's, and that it was a three-story building. He believed that it was run "back in Civil War times." "Waterfall was live country back then," he noted. "So many people drinking."

Mrs. Wayland's great-grandmother, Ida Foley, was postmaster at Waterfall before Gossom's store and post office was built. The former post office stood on the south side of the present Route 601, somewhat east of the later store building.

BRADSHAW'S MILL

A mile northwest of Waterfall, at the intersection of the Mountain Road (Route 600) and the Jackson Hollow or "Sawmill" Road (Route 680) is the site of the now-forgotten community of Bridgetown. The place took its name from the Bridges family, landowners at this road junction in the late nineteenth century. Butler Baker, a Negro, operated a general store in the northeast angle of the intersection well into the twentieth century, and a half mile to the north along the Mountain Road stood the store of W. T. "Rattlesnake" Gossom, so called because he trapped these reptiles in the surrounding hills and charged a nickle for a look at them at the annual Colt Show in Manassas.

The 1901 county map of W. M. H. Brown shows Bradshaw's Mill on the north bank of Catharpin Run, immediately west of where the Mountain Road crossed the stream at Bridgetown. So far this map furnishes the only authority for the name of the mill, for county records have not yet revealed ownership of property around Bridgetown by a Bradshaw. Moffett's *Water-Powered Mills of Fauquier County*, p. 19, states that a Lewis Bradshaw operated a grist mill near Landmark, on the opposite side of the Bull Run Mountains in the adjoining county, some time between the War Between the States and 1910, and the possibility exists that Bradshaw's Mill at Bridgetown was owned by the same family, if not the same individual. Foot travel across the mountains was fairly common at the time, and the holdings of many families spanned the county line.

Harry Polen of Catharpin, while unfamiliar with the name "Bradshaw's Mill", recalled that relatives of his sometimes patronized a grist mill at the same location as that indicated for Bradshaw's on the Brown map. Polen had never been to the mill himself, although he had often visited the store at Bridgetown after the mill ceased operating, and he remembered storekeeper Baker as "a big ginger-colored man who could drive a wagon down a hill and stop it by grabbing hold of the spokes."

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