



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

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STONE WALLS

In 1822, at a time when settlers were still clearing new land in New Hampshire, a writer for the journal of the State Board of Agriculture admonished farmers to build for the ages, replacing the temporary wooden fences they had thrown up while cutting trees.

“Almost all farms have stone enough to make a wall for every necessary division and enclosure. . . . Labor used in this way answers a double purpose; it secures the fields from the ravages of stock, and improves them by removing rocks which are not only useless, but inconvenient and injurious in their natural situation. A farmer ought to consider it his proper business, as he has means and opportunity, to secure his lands by stone walls.”

New Hampshire farmers heeded these words, as did all others in the rock-strewn post-glacial Northeast. By one estimate made in 1871, when most wall building had ceased and marginal farms were beginning to be abandoned, there were 252,539 miles of stone wall in New England and New York.



**Stone wall along South Road
 Deerfield, NH**
 (Photograph by James. L. Garvin)

As the inhabitants of less prosperous farms abandoned their tillage to pasture and their pastures to woods, the stone wall began to be seen as a symbol of the virtues of New England’s settlers and of the irrevocable end of the farming way of life. Lost in deep second-growth forest or cutting a line across a barren mountaintop, the stone wall became an icon of times past, of labor lost.

Writing in 1938, Tamworth author Marjorie Gane Harkness observed that “we cannot put up our stone walls at auction, and strap them on

the car to take down country. But that is all that prevents their being known as antiques of the first interest, antiques of real estate – the pioneer settler’s signature on the land, his indelible mark.”

Time has proven Mrs. Harkness wrong. We can put our walls up for auction, or at least up for sale. The stone wall is not an indelible mark in the New Hampshire landscape. Every few weeks, the Division of Historical Resources receives an anguished call from someone who sees a neighbor’s ancient wall being loaded into trucks and taken figuratively “down country” for use as landscaping stone. Other calls come from people who see a wall being bulldozed into a gully in order to smooth a site for a new house, or being undermined or buried by a town road agent.

New Hampshire law doesn’t prevent the sale and removal of walls that lie on private property. While it has long been illegal to remove a wall that serves as a

boundary between two properties without the consent of both owners, a wall that lies within a single land parcel is the property of the owner of the land. However grievous the removal of a privately-owned wall may be to neighbors who have grown accustomed to its presence, a stone wall on private land may be sold in the same manner as timber or gravel might be sold from that land.

In 1990, the state afforded a measure of protection for walls that border state highways. Reacting to the highly-publicized destruction of a beautiful wall in Webster during highway widening, then-governor Judd Gregg asked the New Hampshire Department of Transportation to institute a stone wall protection policy.

Developed in consultation with the Division of Historical Resources and the Federal Highway Administration, this policy remains in effect. A committee evaluates the walls along each state-funded highway project, assessing the character of the wall, the highway, the adjacent buildings and land uses, and the interest of owners or local citizens in preserving the walls. Evaluation includes both aesthetic and technical criteria, and may result in the protection of all walls in a project, the selective preservation of the best examples, or the sacrifice of insignificant walls. Preserved walls are rebuilt on the new right-of-way line as part of the project.

A few communities have enacted ordinances that, in a similar manner, protect walls bordering town-owned roads.

The outright theft of stone walls has become epidemic in New Hampshire and other New England states as the value of weathered stone for landscaping has increased dramatically. On July 31, 2009, Governor John Lynch signed a law that greatly strengthened the penalty for stealing stone walls.

The 2009 statute was an amendment of legislation that was passed in 1791. The law of 1791 set a penalty for stealing valuable resources from private property at "treble damages." Although that language had been maintained in subsequent statutes, the penalty was capped at \$15 at some point. The amended law removes the cap, specifically protects "stone from a stone wall," and includes the cost of rebuilding, attorney's fees, and court costs among the "treble damages" that must be paid to the injured party.

New Hampshire people are now fully aware of the value and the vulnerability of the stone wall. As if in response to this awareness, a new generation of stone wall builders has appeared among us. We are probably seeing more stone wall building and rebuilding in New Hampshire than at any time since the nineteenth century.

In 1999, DHR's colleague agency, the New Hampshire Council on the Arts, chose stone wall builders Kevin Fife of Northfield and Doug Faxon of Walpole to exemplify New Hampshire's renaissance in wall building at the Smithsonian Folklife Festival. In the same year, the Concord Monitor chose legislator and wall builder Derek Owen of

Hopkinton as one of the "One Hundred Who Shaped the Century" in New Hampshire. Owen traveled to Washington to explain Fife's and Faxon's wall building for the thousands who attended the festival.

Literature on stone wall building received its first substantial American contributions with the publication of Curtis Fields' *The Forgotten Art of Building a Stone Wall* in 1971, John Vivian's *Building Stone Walls* in 1976, and Susan Allport's *Sermons in Stone: The Stone Walls of New England and New York* in 1990. The fall of 2001 saw the publication of *The Granite Kiss: Traditions and Techniques of Building New England Stone Walls*. The book was written by New Hampshire's Kevin Gardner, a nephew of Derek Owen, a member of an extended family of wall builders, and a skillful writer. Since then, others have contributed countless newspaper and magazine articles.

Reacting to New Englanders' strong interest in stone walls, geology professor Robert Thorson of the University of Connecticut has published a history of stone walls, *Stone by Stone* (2002), and a field guide, *Exploring Stone Walls* (2005). He has established the "Stone Wall Initiative," a web-based source that promotes the appreciation, investigation, and conservation of stone walls in New England. It can be explored at: <http://www.stonewall.uconn.edu/>

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