

# The Alamance Outrage of 1895

*How a two and a half by eighteen-mile strip of Chatham was ceded to Alamance.*

*By Doug Berg\*, September 2021*

**“An Outrage on Chatham,”** thundered the lead line of the editorial voice of the Chatham Record on April 18, 1895. “Our good old county is about to lose a considerable number of its best citizens and a large part of its territory and consequently there is quite an excitement on the subject.” 1895 was not shaping up to be the best of years for the editorial voice of the Chatham Record, staunch Democrat Henry A. London. The Populist/Republican “fusion” had taken control of county politics and now had control of the state legislature, too. “The Fred Douglass Legislature,” white-supremacist London named it after the members had recently adjourned early on the day news of the death of Frederic Douglass arrived. Now another piece of disturbing news had arrived.

For a long time, Alamance County had been claiming that the line between the two counties had not been properly run. Now Republican Senator White, of Alamance, had introduced a bill to conduct a survey. Populist Representative A. M. Self, of Chatham, objected but was outvoted. The bill allowed for a commissioner from each county, each to be paid two dollars a day plus expenses; a surveyor, at three dollars a day plus expenses; and two chain carriers, at one dollar a day plus expenses. The Commissioner representing Chatham was W. A. Lineberry. John Coble represented Alamance. The surveyor was H.H Siler. E. A. Thorne, of Halifax County was appointed arbitrator. The terms stipulated that, if the line were to be found correct, Alamance would pay the entire cost; if the line were to be incorrect, then the cost would be split between the two counties. The group was to meet in Hillsborough on Monday, April first. It would be necessary to meet in Hillsborough because the 1770 directive establishing Chatham County had stated that the Chatham line would extend east and west from a point sixteen miles south of Hillsborough. The party set out from a point one hundred feet from the courthouse and in due time reached what had been assumed to be the Orange-Chatham border for the past one hundred and twenty-four years. That point is still remarkably close to the present Orange-Chatham border. But it is only about 14.6 miles south of Hillsborough. That’s when the trouble began.



*Chatham County’s northern border before the Alamance Outrage. From the 1870 map by Nathan Ramsey.*

Details of the route the 1895 survey took from Hillsborough have not come to light, but it is probable the party came down the Old Chapel Hill Road, passing through that town, and continuing south on the Old Pittsborough Road. At the long-established county line, the party continued south to establish the 16-mile point. Chatham's Commissioner Lineberry objected.

The County of Chatham was established in 1771 in accordance with an act of the Colonial Legislature, ratified January 26, 1771:

*Be it Enacted by the Governor, Council and Assembly, that herein and after the first day of April next, the inhabitants of the county of Orange, lying to the south of a point sixteen miles due south of Hillsborough, bounded as follows to wit: Beginning at the aforesaid point, running thence due west to Guilford County line; thence south along Guilford line to Cumberland county line; thence along Cumberland and Wake County lines to a point due east of the beginning; thence west to the beginning, be erected into a distinct county by the name of Chatham county, and St. Bartholomew's Parish.*

The party consulted former Governor John Manning, of Chatham, who agreed with Lineberry that the survey should proceed from the established line between Orange and Chatham. Coble of Alamance disagreed. The commissioners sent to their respective counties for attorneys. By consent the matter was set for argument at Lambsville on Monday, April 8. Quite a number of citizens were reported to have attended.<sup>1</sup> With E.A. Thorne as arbitrator, Chatham put forth the position that Alamance was founded in 1848, with the line to run south along the Haw River "to the Chatham line." The line must be according to that survey, regardless of whether that 1848 survey was right or wrong. Thorne agreed that if a corner from the 1848 survey could be found, then the survey must proceed from that point. It's probable that Lambsville was chosen as the site for this meeting because it is very close to the point where the three counties come together. Lambsville was approximately where the present Crawford Dairy Road crosses Collins Creek, situated on the road from Orange County to a nearby river crossing point at Loves Mill. The Chatham forces may have left the meeting with a feeling of confidence, but that feeling would prove to be short-lived.

The commissioners, including Lineberry, left it to others to find that current point and resumed the survey to locate the point 16 miles due south of Hillsborough. Then they set out due west from that point. It appeared that Chatham was about to lose about 75 square miles of territory to Alamance. In hopes of obtaining a judicial construction of the act under which the survey was being made, a restraining order was obtained from Judge Starback, in Raleigh. Sheriff J.J. Jenkins was dispatched to execute the order. He found the surveyors within a mile of the Randolph line, about an hour short of completion. The Chatham Record described the event as "a narrow escape for our good old county and we greatly rejoice that the courts will now determine this controversy."<sup>2</sup>

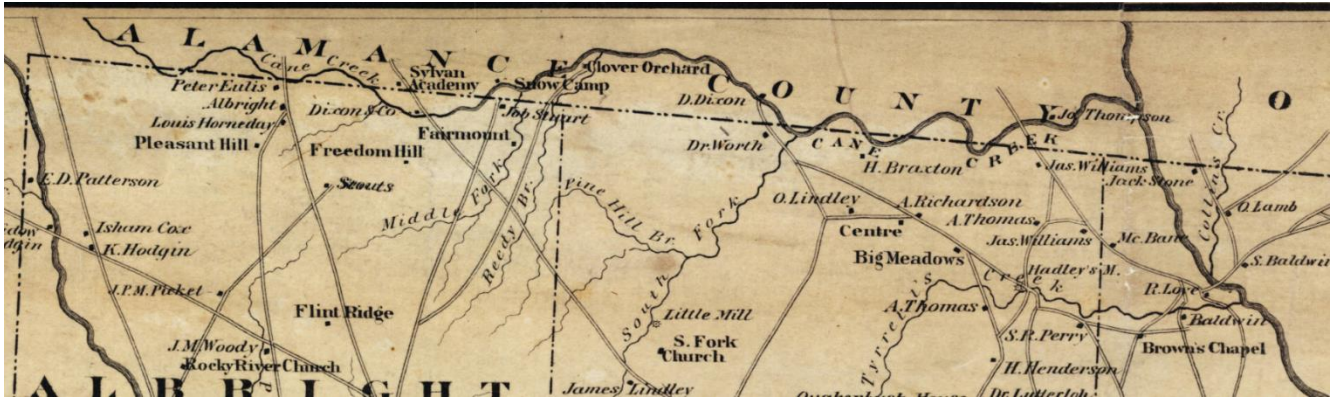
And so there the issue was left to smolder until the courts could untangle the issue.

Tracing the events of the county realignment is complicated by the fact that the two counties major newspaper editors of the day—The Chatham Record's Henry A. London, and the Alamance Gleaner's J. D. Kernodle—were staunch Democrats, while the politicians in power were Populists and Republicans. The battle over the county realignment occurred within the ranks of the Populists/Republican "fusion," but the narrative of the struggle comes down to us

chiefly through the often-mocking reports found within these two newspapers. The Democrats were still smarting to find themselves out of power after growing accustomed to it. The Populists, perhaps overzealous in their victory, were unaware, in 1895, of how precarious that victory would soon prove to be. The Populists had the power because they had joined forces with the Republicans—thus, “fusionists.” But at the same time the Populists felt the need to maintain a posture of white supremacy. This may have led to somewhat of a contest with the Democrats to see who could out-white-supremacist whom. On the national scene the Democrats were beginning to promote the silver standard over gold, an inflationary move certain to find favor with the poor indebted farmers who formed the backbone of the Populist Party. The local Republicans found themselves in the position of having to claim neutrality over coinage. Cotton was down to six cents; interest rates were high. Farmers turned to cash crops to pay debts, but overproduction only further lowered prices those crops would bring.<sup>3</sup> And then there was stock law.

At one time farmers were required to maintain five feet high, split-rail fences around any crops so that animals could “free range” without damaging the crop. This suited the early days of the frontier, but by the 1880s districts were starting to adopt stock law. Stock law required the animals to be fenced, and, one by one, townships and counties were shifting to stock law over fence law. Areas with poor or landless farmers resisted stock law. Their subsistence lifestyle depended on letting the animals run free. The problem was: what to do when a stock law district abutted a fence law district? Lacking a natural barrier such as a river, the solution was to require the stock law district to maintain a fence along the line between the two areas. Gates were maintained at the roads and were often attended by children who would swing them open for the coin that might be tossed their way. Alamance was a stock law county by the 1890s. Chatham was not. Would moving the county line south mean a new fence would need to be erected along the eighteen miles of Chatham- Alamance border? The line had been surveyed, all but a mile; citizens of the disputed area would know exactly where the fence would be. The expense of the fence would be borne by Alamance; would the citizenry of Alamance feel unduly burdened by this added expense? Cane Creek had been serving much of the area as a natural fence. It might have seemed to some that Alamance had stirred up a lot of unnecessary trouble with this survey, but the eye of suspicion would soon turn.

In January 1895, Populist Representative A. M. Self, of Chatham, had introduced a bill to compel Alamance County to build a stock law fence along the county line.<sup>4</sup> It seemed to be lost to Mr. Self that Cane Creek was serving as a suitable fence. Or that the point sixteen miles south of Hillsboro was two miles south of where he assumed it to be. As things stood, the line and creek ran so closely together that pieces of each county were to be found on either side of the meandering creek. Alamance had long claimed a line running due west from a point known as the Natty Newland place on Cane Creek; thus, creating a long-disputed area of about seven square miles. But the recognized line shifted north along the creek. (It is tempting to speculate why the creek itself had not by then become the county line.)



Cane Creek along Chatham/Alamance border before 1895 border change. From 1870 Nathan Ramsey map.

Self's stock law bill had been opposed by State Senator Stephen A. White, Republican of Alamance, and NC House Representative Dr. John W. McCauley, Republican of Alamance. The concession Alamance obtained was that the fence would require a survey. From there events had unfolded. In the months leading to when the courts could hear the matter, the people of the disputed district would gradually come to lay the blame for this disturbance on Chatham's Alfred M. Self.

Henry London never missed a chance to mock A. M. Self (or his fellow Populist Everett Bryan). Self, a blacksmith from Hadley Township, was an early Populist to arrive at the Statehouse, in 1893. The Chatham Record noted the event in the January 5<sup>th</sup> issue that year:

*"It was rumored in Raleigh yesterday that Mr. Alfred M. Self, one of Chatham's legislators, had arrived there in a steer cart, through the country with a load of rabbits, but of course, this is a slander on our distinguished countryman." Two years later, in the April 11, 1895, issue, Henry London brought news of a "Wonderful" bill Self had introduced that was passed by the Legislature, "which seemed so utterly ridiculous that we really thought it must be a Joke."*

*The General Assembly of North Carolina Do Enact:*

*SECTION 1. That it should be unlawful for any male hog, sheep or goat to run at large in the county of Chatham to a greater age than six months without castration, unless the same should have been turned out for the improvement of the stock.*

*SEC. 2. That any male cattle RUNNING to a greater age than two years, without castration, shall be contrary to the provisions of this act.*

*SEC. 3. That any person violating this act shall be subject to a fine of not less than \$2.50 nor more than \$5.00. Said fine to go to the school fund of the county.*

*SEC. 4. That this act shall be in force from and after its ratification.*

Henry London's flight of rhetorical fancy over Self's wonderful bill may have distracted him from the small announcement that appeared in the column next to his. The very same issue contained the announcement of the survey:

*County Line—The last Legislature passed an act to run and ascertain the true and correct line between Alamance and Chatham counties, about which there has been some dispute. Mr. John Coble, of Alamance, and Mr. W. A. Lineberry, of Chatham, were appointed the commissioners to have the survey made, and Mr. H. H. Siler is the surveyor appointed for this county. They met at Hillsboro on last Tuesday and began their survey from that place, as the Chatham line 16 miles is due south from that town and then runs due west.*

Was Alfred Self starting to realize the implications of his stock law bill? Had he become aware, unlike Henry London, that the point sixteen miles south of Hillsboro was considerably south of the established border? Was his "wonderful bill" an attempt to mitigate the implications of free range? In the next few weeks, the implications of the fact that the existing Chatham line was not sixteen miles south of Hillsborough became all too obvious.

The injunction held the survey up for a few weeks, and then, at the May hearing, at Graham, Judge Green refused to continue the injunction against Messrs. Thorne, Coble and Lineberry.<sup>5</sup> The judge decided that the Legislature had appointed the commissioners to locate the line and their decision must be final, from which there could be no appeal and that no court could restrain them. It was argued by Chatham's attorneys that the commissioners had misconstrued the law and transcended their authority. It was asked of the judge:

*"Suppose the commissioners had located their line thirty miles further south and had thus taken ALL of Chatham, did he not think the courts could then interfere and restrain them?"*

The judge answered that if they had done this the courts could not restrain them, and the only hope of redress would be application to the next Legislature. An appeal was filed. The case would go before the Supreme Court in October.

The survey resumed, and the last mile was charted. It was reported that the Alamance commissioners were already laying out townships and school districts. Orange County was feared to be weighing their options. This would be the first incidence of any part of Chatham having been placed under stock law without any petition or election for that purpose. It was reported with an exclamation mark that the survey had originally been authorized back in March of 1893—two years before the Legislative act!<sup>6</sup> The citizens were left to ponder the issue for the next five months.

October 31, 1895: The Chatham Record announced: *"The Chatham and Alamance County line case will be argued in the Supreme Court today, at Raleigh, by Womack and Hayes and H. A. London for Chatham, and E.S. Parker and J. A. Long for Alamance."* On November 2 the Raleigh News and Observer reported that the whole session was occupied in the argument of the commissioners of Chatham County vs. E. A. Thorne et al.

*The last legislature passed an act appointing certain persons as commissioners to "to locate the county line between Alamance and Chatham counties*

*according to the original survey of 1770 establishing the county of Chatham” and the controversy is as to the meaning of the words “original survey.” The defendants who are the commissioners named in said act considered these words as meaning they should locate the line according to the calls and boundaries set forth in the said act of 1770, while the plaintiffs contended that the words “original survey meant the survey actually made in 1770. The territory in dispute is about eighteen miles in length and averages about three miles in width and is one of Chatham County.*

On November 21, the Graham Gleaner reported:

*The Supreme Court Sustains Judge Green’s Ruling in Dismissing the Injunction, and says it is Without Jurisdiction; that the Remedy Lies With the Legislature. ... because the court is without jurisdiction in the matter. Alamance county is not a party to this action and would not be bound by any conclusion or order of the court, and the defendants have no official interest in the controversy. They are simply the agents of the Legislature to execute its command. ... Counties are laid out and the boundaries established as directed by the Legislature and these boundaries exist at the will of the Legislature, subject to be changed at any time by it ... otherwise new counties could not be established, nor any subdivisions had unless consented to by the original corporate bodies. So no injunction can rest upon the idea of irreparable damage. ... We are of the opinion that His Honor committed no error. Judgment affirmed.*

The Alamance issue didn’t draw much interest the following year, in 1896. The matter appeared settled, at least in the courts. If the Legislature wanted to set the county line, it was up to them, and the Legislature had never changed that 1770 decree that the line would be sixteen miles south of Hillsborough. Much bigger events were playing out on the national stage. It was a presidential election year. The Democrats had lured the Populist icon, William Jennings Bryan, to become their candidate. The Republicans ran William McKinley. Indebted farmers now would flock to the Democrats on the promise of cheap money coming with Bryan’s promotion of the silver standard. McKinley was the champion of gold. 1896 was also the year of the infamous “separate but equal” Plessy v. Ferguson decision in the Supreme Court. African Americans found their interests shoved aside. The election of 1896 was two years before the North Carolina Democrats would turn the state into a one-party state for generations to come. In Wilmington the Democrat’s victory of 1898 was celebrated the day after the election with the destruction of the Negro section and the murder of many Blacks.

As far as the county line issue was concerned in the election, it appears that the editorial voice of the Chatham Record had little influence on the voters of Chatham.<sup>7</sup>

*The county line—Chatham County was organized in 1771 and its boundaries remained unchanged for 124 years until the late “reform” Legislature took away nearly sixty square miles of her territory and gave it to Alamance, and now if the people of Chatham approve of this and wish to lose another slice of their old county they will help to elect just such another Legislature. But, if they disapprove of this legalized robbery and are unwilling to lose any more of their county, they will refuse to help elect any of the men who are responsible for the Alamance steal. It is well known; indeed*

*the commissioners of Orange have already declared that they will apply to the next Legislature for an extension on eastward of the new Alamance line and thereby acquire a considerable strip from Chatham. Orange is as much entitled (so they allege) to have her southern lines as Alamance was, and if we have men of no influence in our next Legislature (as we had in the last) it seems certain that Orange will succeed as Alamance did. Men of Chatham, do you wish your old county again robbed!*

McKinley won in November, although Bryan won the South. Chatham voted for Bryan for President and for the Democrat Cyrus Watson for Governor, who won the state contest. All other Chatham winners were Populists. A. M. Self was not on the ballot; it appears he may have preferred to go back to blacksmithing in Hadley Township.

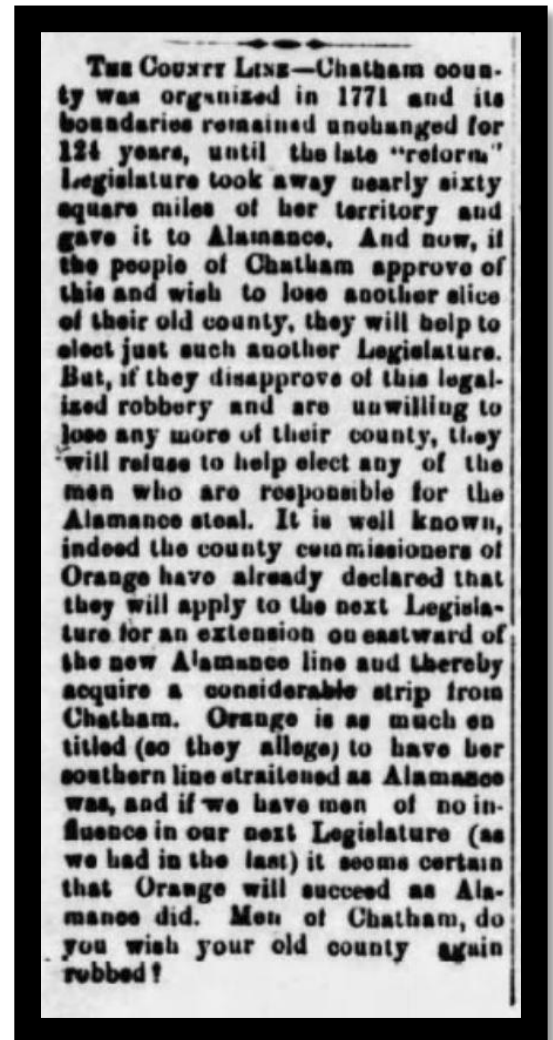
The Republicans held on in Alamance despite the Gleaner's anti "gold bug" editorializing. Alamance was by then the county with the most cotton mills—21 to Chatham's 2, and well ahead of second place Mecklenburg's 14. It's probable that the mill owners and workers, financed as they were with northern money and protected from foreign competition by the tariff-loving Republicans, would not be as concerned about the gold standard.

But the Populist "fusion" with the gold-loving Republicans was about to come to a close. On the national stage the Republicans who had freed the slaves were turning their interests to matters other than the welfare of the downtrodden. The "gilded age" of the robber barons would reach its peak in the following years; meanwhile the Democrats were realigning themselves as the friends of the poor—just so the poor were separate but equal. Appropriating Populist platforms brought an end to that short-lived party, but many Populist ideas did eventually become the law of the land.

Thus 1896 came to its closing days. Alamance had by then constructed a stock law fence along the new line. Then, in the Chatham Record's issue that came out on the day before Christmas, a small notice appeared:

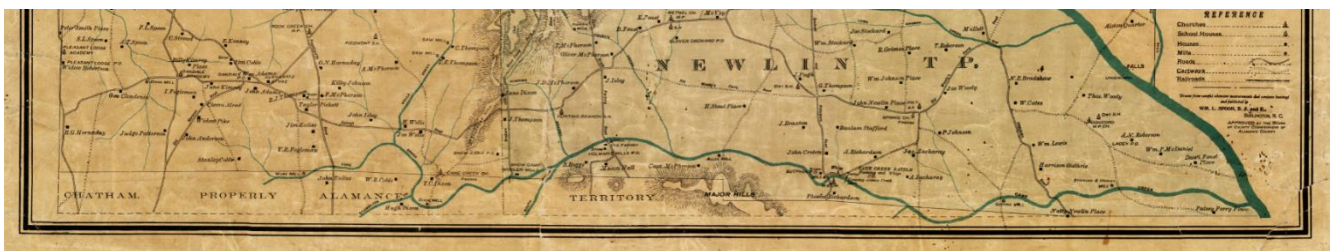
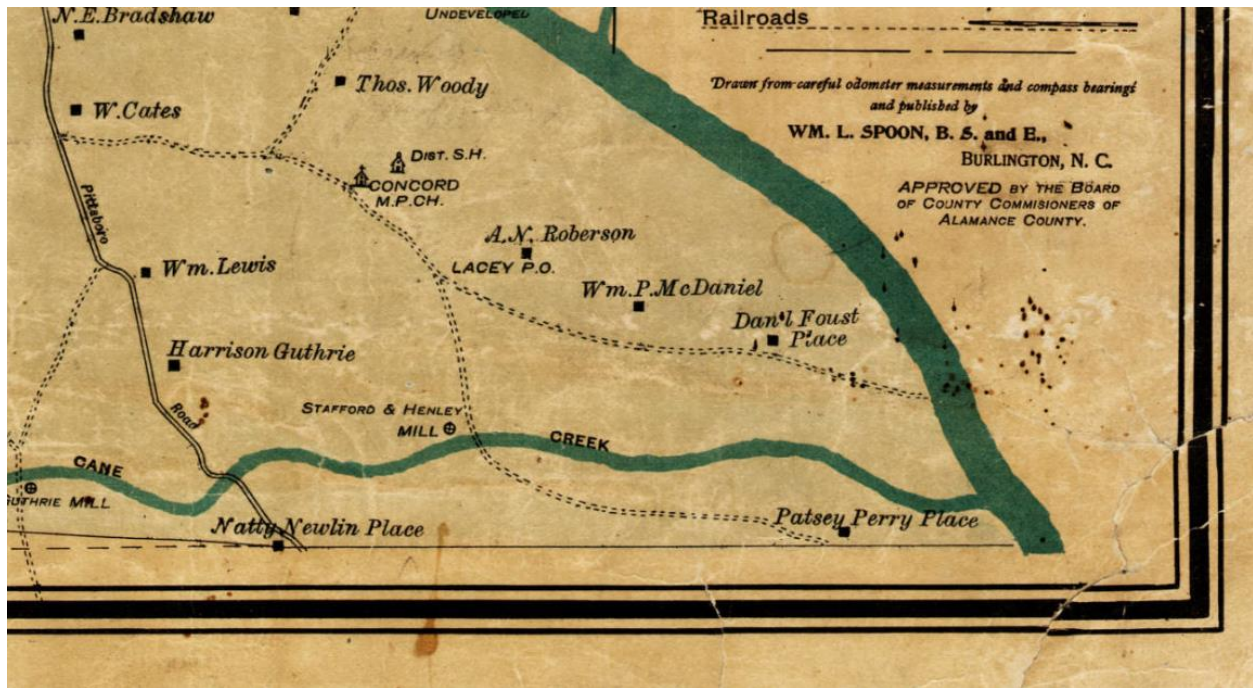
*Senator J. W. Atwater and Representative J. E. Bryan were here on last Tuesday with the attorney of the county commissioners as to the best plan of restoring to Chatham the territory so wrongfully given to Alamance. A strong effort will be made to get the next Legislature to right this great wrong.*

J. E. Bryan would soon feud with Senator Atwater over a tiff Bryan had with Atwater's brother-in-law, US Congressman W. E. Stroud.<sup>8</sup> But it appears they buried the hatchet long



*From the Chatham Record 15 Oct 1896.*

enough to address the county line matter. They introduced a bill that did not pass; then on February 9<sup>th</sup> they introduced a bill that did pass. The bill depended on the agreement that “the Natty Newland place” would be the point from which to draw the east-west line. The voters in the affected area would decide the matter on the last Saturday in April. If a quarter of the voters approved, the measure would be adopted. Existing stock law fences would be left as is. Seven or eight square miles of area north of the Natty Newland place had long been in dispute and this would go to Alamance. W.L. Spoon would conduct the survey.<sup>9</sup> The *Caucasian News*, of Raleigh, provided a long article from the Populist viewpoint, pointing out that Chatham had resisted a line change in 1854, fearing the loss of Whig voters.<sup>10</sup>



*Detail from Wm. L. Spoon map of Alamance, 1893, showing Natty Newlin Place and disputed territory.*

The Natty Newland place is on the Luther Spoon map of Alamance, 1893. The westward line angles north from that point. Points due west are listed as “Chatham Properly Alamance Territory,” and would amount to the six or seven square miles referenced in the bill. The *Gleaner* offered a bit of hopeful clarification.<sup>11</sup>

*...those who vote “ratification” say by their votes that they do not wish the line to remain where it was located in 1895, nor do they wish it put back where it was supposed to be prior to that time, but another change, And those who voice “rejection” say by their votes “let it remain as it now is,” that is, where it was located and marked by the survey of 1895. Three -fourths of those who vote*



*must vote "rejection," or there will be a new survey and a change of the line again.*

*Our County Commissioners now have the county convicts at work on the public roads in the newly acquired territory, and it is their purpose to make a road that will be good at all seasons of the year ... which will afford the people of that section an easier and more comfortable way of getting to their county town. ... bridges will be erected over the larger streams ... there is a resolution now pending before the County Commissioners, providing for a new bridge in the new territory, and its passage will depend on the decision the voters make at the election on the 24<sup>th</sup> of April.*

Senator Captain E. S. Parker of Graham had brokered the change to the original bill by adding the article calling for a vote by the registered voters of the disputed territory. 264 votes were cast on April 24. When the votes were counted, *The Gleaner* announced: "*The Line Settled. Only 2 out of 264 vote to return to Chatham.*"<sup>12</sup> In closing, J. D. Kernodle wrote:

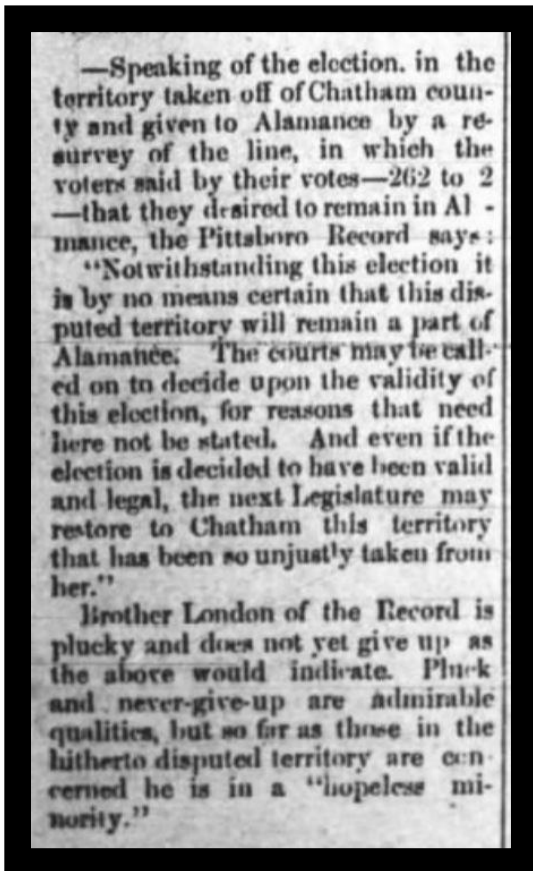
*As we said above, the odds appeared to be in Chatham's favor, and they were according to the bill, but the voters were the other way, overwhelmingly so, as the returns show.*

*It is hoped that this line is now settled for all time and that no further efforts will be made to disturb it. Chatham did not yield without a persistent, determined and stubborn fight; but in as much as the voice of the people has been heard on the subject, the matter should be dropped.*

*A cordial welcome is extended to the citizens of the territory heretofore in dispute, and we congratulate them that they have settled the dispute so emphatically.*

Down in Chatham there were ever-diminishing words of protest. Henry London held out hopes of a future Legislature changing things back to the way they were.<sup>13</sup> London's good friend, colleague, and Democrat Kernodle, up in Graham, had this to say in response:<sup>14</sup> "*Brother London of the Record is plucky and does not give up as the above would indicate. Pluck and never-give up are admirable qualities, but so far as those in the hitherto disputed territory are concerned, he is in a 'hopeless minority.'*"

The county line matter has been settled, and memories have faded into folklore, along with a few unanswered questions. Alfred M. Self died in 1914; attorney for the administrators: H. A. London.<sup>15</sup> In



*From the Graham Gleaner 06 May 1897.*

1950, Dr. Will S. Long recalled his father telling him that Captain Parker had named the disputed area “Little Oklahoma.”<sup>16</sup>

Perhaps foremost among the unanswered questions is: Why did that original 1770 survey stop two miles shy of sixteen? There are still a few old timers around who have a possible answer, and that bit of folklore is about the only bit of information they ever do seem to be able to recount. The tale may go back to either the 1848 survey or the 1770 survey. (Folks forget that there were two before the 1895 survey.) The handful I’ve asked, tell me the surveyors were afraid of the rough characters said to be down that far south, that the survey decided to play it safe with the good Quakers up along Cane Creek.



*Chatham's northern border after the 1895 adjustment. From a rural delivery map, 1940.*

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<sup>1</sup> Chatham Record, 18 April 1895

<sup>2</sup> Ibid, 5 May 1895

<sup>3</sup> Jim Wiggins, “Chatham County, A Hotbed of Populism,” 2011, Chatham County Historical Association <https://chathamhistory.org/resources/Documents/PDFs/ResearchArticles/ChathamCountyAHotbedofPopulism.pdf>

<sup>4</sup> Alamance Gleaner, 24 Jan 1895

<sup>5</sup> Chatham Record, 30 May 1895

<sup>6</sup> Ibid

<sup>7</sup> Ibid, 15 October 1896

<sup>8</sup> Wiggins, 2011

<sup>9</sup> Alamance Gleaner, 11 February 1897

<sup>10</sup> The Caucasian, 2 February 1897

<sup>11</sup> Ibid

<sup>12</sup> Ibid, 29 April 1897

<sup>13</sup> Chatham Record, 29 April 1897

<sup>14</sup> Graham Gleaner, 6 May 1897

<sup>15</sup> Chatham Record, 12 August 1914

<sup>16</sup> Burlington Daily Times, 6 April 1950

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