

# War of Regulation spawned Chatham's creation

**CHATHAM'S  
Historical  
Heritage**

by Fred J. Vatter



If you turn south off Route 64 onto Rives Chapel Road and follow it to its end at McLauren Road you will find Rives Chapel situated adjacent to Tick Creek. Behind the church a small trail bridges the creek and wends its way up a grassy hill and into a wooded area containing an old graveyard. The present church was erected in 1921 but Dr. George Washington Paschal, a Chatham native Baptist historian had stated that prior to 1769 a Tick Creek Baptist Church stood "a few miles east of the present town of Ore Hill." This would appear to be close to where the present building stands and would account for the old cemetery.

Older graves are marked with un-inscribed field stones, many others are so weathered as to be illegible, and others have been pushed down and damaged, perhaps by cattle from an adjacent field rubbing themselves.

One gravestone, perhaps a newer replacement, is clearly legible and marks the resting place of James Emerson. It reads, "Patriot. A Regulator at the Battle of Alamance, condemned to death by Governor Tryon, pardoned by Governor Martin, lived to take part in the War of American Independence."

Chatham was originally part of a much larger Orange County, as were Guilford, Wake and Surrey. The larger county was split up by the Colonial Assembly in January 1771 ostensibly because the great extent of Orange made the attendance of residents of the southern portion to do public duties very difficult and expensive. The major reason was probably to segment the protestors of government policies, who were showing up at Hillsborough very frequently.

Many of the people who populated the hilly Piedmont of North Carolina in the early 1700s had migrated from Pennsylvania and surrounding areas seeking better and cheaper land. Mostly of German, Welsh and Scotch-Irish backgrounds, their traditions and religious beliefs stressed simple, independent living. They were not only farmers who produced their own food, clothing, shelter and furniture, but also coopers, blacksmiths and cobblers. This degree of independence and the north-south orientation of the ridges resulted in little contact with folks in eastern North Carolina.

The eastern part of the state, with its large plantations, fine homes, dominant English settlers, the strong Church of England, and the site of the government, generated a completely

different idea of the good life. Limited contact between the two sections created a huge gulf, with neither of the two populations understanding the viewpoints and life styles of the other.

The system of government complicated the situation, with the King of England and his council issuing instructions to the governor. The governor had his own council to discuss and decide important matters of state. That council also served as the upper house of the N.C. Colonial Assembly. A lower house was elected by male taxpayers of individual counties or towns. All three layers of government each had veto power and the king had an ultimate veto power. Many officers at the county level were easterners appointed by the assembly.

Land in the Piedmont belonged to Lord Granville, but his agents who were supposed to record land grants and collect quit-rents were both sloppy record keepers and negligent in their performance, resulting in disputed land claims. The sheriffs, appointed by the governor, arrested criminal suspects, supervised elections and collected taxes, keeping 8 percent of the latter as their fees.

A basic problem in the backcountry was a lack of money. Much trade was on the barter system, but sheriffs were required to collect money. If a farmer had no cash the sheriff seized household or farm goods and sold them. Sometimes friends of the sheriff ended up possessing many desirable farms. The use of taxes to build the governor "a palace" in New Bern added fuel to the fire of resentment.

The difficulty of east-west travel discouraged the government officials in the east from coming to supervise backcountry agents. One official who did come to Hillsborough was Edmund Fanning, a lawyer and native New Yorker, who served as register of deeds and in 1766 became a judge of the Superior Court. He also served as a colonel in the provincial militia. Farmer's needs and ambitions were different from those of the ordinary citizens of Orange and Fanning's displays of wealth, education and contempt for backcountry folk soon led to antagonism and ill will. He described meetings of local people to discuss their grievances as "insurrectionary," which in effect slammed the door on efforts to alleviate problems on a local level. Consequently, the men who were to eventually refer to themselves as Regulators grew frustrated and drifted toward violence.

Minor clashes soon led to armed resistance. On April 8, 1768, 80 Regulators captured the sheriff and

reclaimed a horse and tack that he had seized for taxes. While at it they fired some shots into Fanning's house. Soon after, Fanning and a posse captured William Butler and Herman Husband for "inciting to rebellion," but a band of Regulators forced their release.

The Regulators had no appointed leaders but because of his active production of pamphlets and newspaper articles, Herman Husband, whose properties included lands now a part of Chatham, was suspected by Colonial officials as being the principal



In the late 1700s, tension between the "backcountry" residents of current-day Chatham and the governor's tax collectors grew as local sheriffs sought money to fund Governor Tryon's newly built mansion in New Bern.

organizer and leader. Rednap Howell (the Bard of the Regulation), James Emerson, Isaac Brooks, Charles Harrington and his sons Sion and Philemon, Simon Dixon and Samuel Dark were other Chatham men identified as Regulators.

Jane Pyle of the Chatham Historical Association, working with information from the State Historic Sites Research Office, census, land and militia records has identified

about 900 names of possible Regulator participants from that part of Orange County now comprising Chatham.

In May 1771 Governor Tryon, despairing of solving the Regulators' claims by peaceful means, marched his force of less than 1,000 men against 2,000 Regulators at Alamance Creek. The better trained and equipped militia routed the Regulators, many of whom were wounded. Tryon took about 15 prisoners, of whom 12 were sentenced to death by hanging. Six were subsequently pardoned, including James Emerson.

Originally the Regulators professed allegiance to the crown. The colonial government of North Carolina was in itself not unjust in its principals. It gave people rights not offered by many other governments at the time: trial by jury, election of representatives to the lower council, a fixed code of law, and a right to petition for the redress of grievances.

What the Regulators protested were graft, corruption and inefficiency. Eventually even Governor Tryon was sympathetic to their grievances but could not control the actions of local officials or understand the clash of two distinct cultures. As a result, loyalty to the crown diminished and the stage was set for a complete break within five years.

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