

## 1763 END OF FRENCH AND INDIAN WARS.

Louise Pettus

The Crown signed treaties with the Indian tribes. The Catawbas had fought for the English so they were rewarded with a guaranteed reservation.

The Crown ordered that a boundary line be drawn between North and South Carolina. They started at a coastal point known as Boundary House that was used in the 1735 survey and went to the stake that had marked the end of the 1735 survey on the east side of the Lumber River. This distance was almost 44 miles.

Then the surveyors were to go to the 35th parallel and there strike a due west course which was to strike the southeastern corner of the Catawba Indian lands and then go to the northeastern corner and then again due west.

All of the old documents indicate that the surveyors were surprised that they didn't hit the Catawba line. The surveyors started at the wrong place-- today it is hard to say whether or not it was deliberate or an honest mistake but South Carolina was convinced that she was tricked out of 11 miles or 660 square miles of land.

The surveyors were exhausted and suffering from the rains, hot weather, and insects. The surveyors turned in a bill of 400 pounds sterling and a survey map that stopped at 34 degrees and 49 minutes. That point has a marker today that is designated as a Historic Marker and is known as Old North Corner. It separates Lancaster County, SC and Union County, N.C.

In 1771 the Crown ordered the N.C.-SC boundary survey to be continued. The Catawba Indians petitioned that they stay in South Carolina. The decision then was to use the Salisbury-Camden Road---through Charlotte (very roughly present-day #521) as the boundary---and then to make up to S.C. the land she lost to the east by adding in the West. They ran that line around the Catawba Indian Reservation to the Cherokee Indian line. It was about 65 miles in length.

A description from a South Carolina surveyor's journal says that they set up camp in the Waxhaw settlement and joined the N.C. surveyors and commissioners with their surveyors, chain carriers and blazors (blazors were carried to either cut a mark or to paint a tree showing directions). Each group had tents and a wagon to carry their baggage. After the usual compliments and a glass or two of wine they proceeded immediately to business, by each party showing his commission and instructions to the other.

"We agreed that a surveyor from each Province should attend the Compass every day and that the chain should be carried alternately, and two blazors from each side to follow the Surveyors. We waited at the old corner tree till 12 o'clock to take an observation. Sun's altitude 75---35 latitude 34.48.

After dinner we proceeded and encamped at a Run about 4 1/2 miles, we took the various courses along the Salisbury road, which made it very tedious.”

The next day the surveyors had a good day and made 11 1/2 miles. The following day it was 8 miles... On Sunday they took a break and went into Charlotte Town in Meck Co..”The town has a tolerable Court house of wood about 80 by 40 feet, and a jail, a store, a Tavern and several other houses say 5 or 6, but very ordinary built of logs. From here we went to Capt. Polks, about a mile, spent the day agreeable and returned to camp about 12 miles off.”

The next day 7 miles and 26 chains. For their calculations they used:

LINK: 7.92 INCHES.

ROD: 25 links or 16.5 ft.

CHAIN (the basic measure): 66 ft or 4 rods  
or 100 links

ROOD;: one quarter acre or 40 sq. rods

ACRE : 100 sq. rods or 4 roods

MILE: 80 chains or 320 roods

These measurements were all a surveyor had to deal with, except of course, he also had to deal with mosquitoes, snakes, ticks, briars, an occasional bear, the burning sun in summer and ice and snow in the winter and other little inconveniences. But, compared to other occupations surveying paid very well. Plenty of distinguished people, like President George Washington, for instance, were surveyors.

Back to the boundary line survey. When these boundary line surveyors got around the Catawba reservation and between the two forks of the Catawba River, they repeated the procedure of waiting until noon to take an altitude reading and set their compasses together...from noon until dusk they covered 4 miles and 50 chains. The following day they blazed a 15 mile tree two miles north of Kings Mountain.

When the surveyors got about 4 miles to the West of Kings Mountain they paused to run some survey lines for land for themselves. Two commissioners ran off 2000 acres for themselves. When they had covered 22 miles they met with a wagon road to Charles Town and calculated it was 180 miles to Town.

The Broad River was crossed at 31 1/2 miles from the Catawba River and two other commissioners ran off a couple of 500 acre tracts for themselves on the north side of the line. On the Broad River they swam their horses over, and carried their baggage and themselves over in an Indian canoe. At that point the North Carolinians decided to abandon their wagon. Wagons were retarding progress.

On the 2nd June 1772, the party struck the Cherokee line about 6 or 7 miles below Tryon Mountain. For two days they worked drawing their maps and finished off four plans, two for each province and all the Commissioners and surveyors signed the four documents.

1783 The colonies got their independence from England....but we kept the English concepts of land and land use.

Examples: 1672...Fraud Act...made it illegal to deed land through oral agreements. Transfer of land had to be made in writing and had to be agreeable to both parties.

By English law a surveyor could not make a decision about where a line should be...he could only run a line that had already been decided by a judge or by the law. When there were errors from previous surveys, a surveyor was obliged to report the previous survey, report his present findings, and then let the judges or courts decide which was right---and a judge could decide the first survey was right and, if so, that was the way it stood.

After the United States Constitution:

Constant bickering over the NC-SC boundary line--especially the line to the east of the Catawba Indian land.

1813 Final adjustment by William Richardson Davie and a picked group. 1815 Began the process of taking the NC-SC line from the Cherokee line to the Georgia border.

Again a problem in that the surveyors could not follow the instructions. They were supposed to go due west and hit a summit of a ridge lying between the waters of the north fork of the Pacolet River and the north fork of Saluda River. The surveyors said it was not possible so the Commissioners had to decide. The Commissioners got along well and agreed that a marked rock in the Chatooga River would be the place where the three states of NC, SC, and Ga. would meet. That would be on the 35th parallel.

About five years later the SC legislature ordered a mapping of the state showing all the lines and districts. The War of 1812 had caused legislators to realize that the SC maps were terribly inadequate and there was no map to show the political boundaries which were called districts, not counties. The famed Mills Atlas was the result. There were 16 SC districts and 16 surveyors were hired. Their pay was from \$700 to \$1800, depending on the size of the district. All surveyors were personally chosen by Governor Andrew Pickens, Jr. The governor appointed an astronomer to be in charge and his work showed that the rock in the Chatooga River wasn't exactly on the 35th parallel. Still, NC and SC were so eager to settle their long dispute that they were happy to agree that the rock in the Chatooga River was on the 35th parallel. Remember that

surveyors cannot establish boundaries--only legislatures can do that. Neither could astronomers establish boundaries.

Sixty five years later, the question of rerunning the NC-SC boundary line came up again. SC got a new constitution in 1880. The constitution really fouled up the description of the boundary line where it juts up in York County (CAROWINDS) so that after the constitution was passed it had to be amended and the governor decided that a re-survey was in order. NC was requested to send a surveyor within one year. The N.C legislature didn't meet that year and the NC governor said it was a legislative problem that he couldn't handle. So S.C. surveyed the line but NC did not.

When Meck. Co. landholders on the SC border discovered that the SC survey put them in SC, they kicked and screamed. NC then did an independent survey which put some of York County into NC. Now there were three lines...the old 1772 line, and the two new ones. The difference amounted to about 5500 acres...not much to a whole state but a tremendous loss to some landowners.

That dispute was never settled by the two states but it did get settled in a strange way. A few dams built by electric power companies, mainly Duke Power, flooded the disputed land and nowadays the 5500 acres is all under Lake Wylie.