Dethroning the Kings of Cape Fear:

Consequences of Edward Moseley’s Surveys

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“Of all the men who watched and guided the tottering footsteps of our infant State, there was not one who in intellectual ability, in solid and polite learning, in scholarly cultivation and refinement, in courage and endurance, in high Christian morality, in generous consideration for the welfare of others, in all true merit in fine, which makes a man among men, who could equal Edward Moseley.”

---- Hon. George Davis

There remains a veil of romanticism used in past historiography concerning Edward Moseley that leaves one feeling that he was, as D.H. Hill said in 1906, “always on the side of the people.” Historian Francis L. Hawks enthusiastically declared in 1858 that Moseley was "friend of Carey in his rebellion, the opponent of Governor Hyde while he lived, and of Colonel Pollock during the [Tuscarora] Indian war." And then, Hawks goes on to praise Moseley’s patriotic sense of duty. William Saunders, editor of the North Carolina Colonial Records, declared Moseley’s “undying love of free government, and his indomitable maintenance of the rights of the people.” Twentieth-century North Carolina historians have regarded Edward Moseley as a great man. Still, some past historians have been more cautious. Samuel A. Ashe, grandson of Governor Samuel Ashe and a great-nephew of Edward Moseley, in editing the Biographical History of North Carolina, included three generations of the Moore side of the family. Yet, he neglected to include his great-uncle, Edward Moseley in the list of one hundred prominent men of North Carolina. James Sprunt, writing in 1906, speaks of Moseley’s map, but diverts around Moseley’s personal contributions to the Lower Cape Fear. Few historians know what to think about Edward Moseley. This past romanticism yet survives. Voluminous primary evidence reveals a man quite unlike that described by politician Davis, or historians Hill and Hawks. A part of the problem lies in Moseley’s unclear origins. Consequently, no definitive work has ever been produced about him. Recent revisionist historians have begun to enter this miry swamp of North Carolina’s history. This treatise follows in their footsteps while attempting to avoid the
brand of presentism that restates Moseley’s effect on North Carolina as that of a rogue and villain. The difficulty in that task will become apparent.

One persistent aspect of older historiography tends to view North Carolina as an already established, fully-functioning and organized colony in 1704 when Moseley first arrived to take over in Henderson Walker’s stead as husband of Ann Lillington. It was not. North Carolina was a wilderness filled with uncertainty. Wolves howled, bears growled, and American Anglicans and Quakers alike, just as wild, held few of the scruples normally attributed to today’s religious adherents. It was in this world that Edward Moseley developed his contemporary reputation, not exactly that which earned his crowning as a “king” by romantic historians. Edward Moseley must be viewed as an opportunist in a virtually ignored backwoods colony of opportunists, no different really than any other castaway on American shores. Yet, there was a flamboyance which set him apart from his fellows and which was highly regarded by the Tories in power at home. Moreover, his ostentation gathered about him the laurels that few have attained in his adopted land. Relatively speaking, through the wilds of the colonial Albemarle, then in Cape Fear, he shone above the rest as a virtual monarch with a royal demesne as wide as the wilderness colony itself, all the way to the “South Seas.”

D. H. Hill spoke of Governor Hyde’s reference of Moseley as a “chief contriver” and “restless Incendiary.” Governor George Burrington called him a “great land-jobber” and wished that his “integrity was equal to his ability.” Governor Gabriel Johnston declared that the only remains of faction after the blank patent incident and the royal re-taking of the Cape Fear region “is kept up by Moseley and the Moor[e]s.” Moseley’s “shine” was obviously lost on those who knew him. In the embryonic environs of the Albemarle, flamboyance carried more political weight whereas today, it broadcasts only from the cover of tabloids at the checkout line.
That the people elected Moseley to any public office might have been more a factor of the scarcity of choice than his actual ability to represent them. In one opinion, the politician, Edward Moseley would have found himself facing charges of treason, racketeering, and war-profiteering in a modern court of law and even his own talents as an attorney would not have saved him. Edward Moseley was briefly tolerated, however.

The Lords Proprietors, Board of Trade, royal administrators, and a host of angry colonial officials remembered the “restless Incendiary.” The Glorious Revolution of 1688 endowed parliamentary officials, then politically Whig-dominant, with more control than they had before. England’s new Secretary of the Southern Department, the Duke of Newcastle had more reasonable plans for “the King’s” territorial purchase of North Carolina. The liberal administrator, acceding to his new position in 1730 had no intention of administrating the former proprietary colony for Moseley and Moore’s personal benefit. A battle then ensued. Newcastle used former proprietary governor, George Burrington to accomplish the transfer of the colonial property by voiding what grants he thought necessary. Burrington vengefully went after his former partner in Cape Fear, Maurice Moore, brother-in-law to Edward Moseley. Moseley and Moore lost much in this political chess game that almost turned deadly for George Burrington. England chastised these power-hungry Tories. Since the Revolution, however, historians of the early twentieth century have unfairly contributed to downplaying the admittedly high-spirited, chair-throwing Burrington’s contributions while raising Moseley and Moore to veritable thrones. Many of Moseley’s colonial contemporaries greatly disliked him, while American views after the Revolution became colored by patriotic ideals that absolved many negative attributes. The American genesis story of Wilmington, North Carolina and a single map
in 1733 ironically crowned one of the colony’s most fascinating personalities, a virtual “King” in his own time whose lofty zeal would die only with his aging body in 1749.\textsuperscript{13}

William Byrd’s tongue-in-cheek humor fell upon the man he referred to as “Plausible” in his \textit{Secret History}.\textsuperscript{14} According to William Byrd’s celebrated sarcasm, Moseley “was bred in Christ’s Hospital [London] and had a Tongue as Smooth as the Commisary, and was altogether as well qualify’d to be of the Society of Jesus.”\textsuperscript{15} Moseley came to Charleston in 1697 from London on the Brig \textit{Joseph} (330 tons), captained by John Brooks.\textsuperscript{16} His apprenticeship to Brooks did not last long for the vessel was reported “lost” the same year that his apprenticeship began.\textsuperscript{17}

Moseley may have been stranded in Charleston, but he made the best of a bad situation. In a few years’ time, he served South Carolina as an Ordinary Court clerk (1701-1702) under Governor James Moore and a librarian for the Society for the Propagation of the Gospel in 1703.\textsuperscript{18} Undoubtedly, during his early apprenticeship with the controversial governor of Carolina, he met Moore’s teenaged son, Maurice. This “Charles Town” Edward Moseley must not be confused with any members of the Moseley families of Princess Anne County, Virginia, who were also fond of the given name, Edward. Some of that family later found their way into North Carolina as well.\textsuperscript{19} This factor contributed greatly to the confusion as well.

At the age of twenty-one, Moseley received £5 15s for cataloging the first library in Carolina. This work he performed for Dr. Thomas Bray and the Society for the Propagation of the Gospel in May 1703, a few months after Bray sent the books to Charles Town.\textsuperscript{20} It was perhaps through Dr. Bray that Moseley met Henderson Walker and his wife, Ann, whom Moseley married only a year later, upon Walker’s death. Gov. Walker seemed greatly interested
in obtaining a similar Christian library for “Queen Anne’s Town,” later Edenton, in October of that same year. He wrote to the Bishop of London, requesting a similar gift of the Rev. Bray’s.\footnote{21}

No one can be certain where or when Moseley learned his trade as a surveyor. He did not display these talents while in Charles Town, but by April 1704, Walker was dead and Moseley became a resident of the Albemarle, marrying Governor Henderson Walker’s widow, Ann Lillington Walker.\footnote{22} Moseley, then twenty-three years old, almost immediately began his career as a surveyor and lawyer. He also gained the extensive property holdings of Governor Walker upon his marriage. Historian Noeleen McIlveena feels that Moseley’s new wife and her family worried about her land-hungry husband:

Moseley must have been a charmer, for he had no land. His new bride’s family took legal action to protect her property so that he would not give her wealth away to anyone else.\footnote{23}

Moseley faced a possible £1,000 penalty if he did. Therefore, the destined to remain “landless” (therefore, penniless) Moseley quickly learned the surveying trade in order to take advantage of the opportunities afforded by the Albemarle. By 1705, Moseley joins the Chowan vestry and becomes a councilman, thanks to fellow South Carolinian, Thomas Cary, at that time, governor of northern Carolina. This becomes his first appearance in the \textit{North Carolina Colonial Records}.\footnote{24}

It was common English practice that Moseley married Walker’s widow (sister-in-law to Elizabeth Lillington Fendall Swann, the future Mrs. Maurice Moore) beginning his aristocratic prominence in North Carolina political affairs. Maurice Moore would also gain political power through this avenue in the Albemarle. Moseley had little trouble gaining power. In 1708, Pollock states that he forcibly arranged his appointment as Speaker of the Assembly, strong-arming his way through Albemarle politics.\footnote{25} Since then, Moseley had served as Treasurer,
Deputy-Surveyor under John Lawson, twice as Surveyor-General (once of the Albemarle and once of the colony of North Carolina), Baron of the Exchequer, Judge of the Admiralty, and Acting Governor of North Carolina in 1724. Officially beginning as a surveyor under Lawson in 1708, he served on committees for the boundaries with Virginia in 1710 and 1728 and produced a map of the Virginia-North Carolina border.²⁶

All of Moseley’s accomplishments in northern Carolina however seem overshadowed by mistrust. Edward Moseley and John Lawson were dismissed from the boundary commission by Queen Anne for their first attempt at the Virginia line in 1710-11.²⁷ Virginia’s governor Spotswood complained to Her Majesty that personal gain “seems to have been their [Moseley and Lawson’s] cheif aim in all their affected delays.”²⁸ Historian Noeleen McIlveena claims that there was “a great deal of tension between Lawson and Moseley.”²⁹ To McIlveena, Surveyor-General Lawson, who may have reflected Thomas Pollock’s view of Moseley as a self-serving land-grabber, could not remain in the same room with him. Further, Moseley and William Maule were accused by the Weyanoake Indians of trying to sell their land without their approval. Ludwell’s Indian interrogation revealed, “That man (meaning Mr Maul) was not good for he had been (persuading) him to deny that the Weyanoakes had lived on Wicocon Creek, & promised him two bottles of powder and a thousand shott to do it.”³⁰ Similar accusations were further confirmed by the Nottoway Indians as well as the Meherrin. As a friend to the Indians, John Lawson may have been appalled by their treatment from these men.

Other Albemarle residents, including two governors, found this behavior distasteful as well and in a 1711 letter to the Lords Proprietors they complained of “Mr. Moseley and other malcontents.”³¹ They charged that:

- complaints are so numerous and grevous, and all the accounts we have yet had from either Mr Moseley or the secretarys Office so short and unsatisfactory; that
no certain account can be had till a careful review be made; thus much only is certain that many surveys have been returned for Tracts of land, whereon the Surveyor has never set his foot…\textsuperscript{32}

William Maule was actually the senior surveyor on this effort. Ludwell and Harrison’s complaint fell upon William Maule, yet the Governor’s Council and General Assembly complained of Moseley. Why the differing targets in the various complaints? Every one of these prominent North Carolina officials signed the memorial, which stated that the proprietors should “remove these three restless Incendiaries Colo Cary, Mr Porter, and Mr Moseley from having any share in the Government.”\textsuperscript{33} The inclusion of Cary and Porter indicated a larger Carolina-oriented problem than simply cheating on surveys, though Edward Moseley seems to have drawn most of the attention from two colonies. The Virginia Governor’s Council complained against all of the North Carolina commissioners, but “particularly Mr Moseley [who] has used so many Shifts & excuses [while preparing surveys of the line].”\textsuperscript{34} The Carolina side of the equation stood out of balance. Focusing on the North Carolina commission, Queen Anne removed Moseley and John Lawson as surveyors of the Virginia line.\textsuperscript{35} Afterwards, Moseley attempted to withhold papers pertinent to the boundary issue and was ordered to deliver them.\textsuperscript{36}

This story’s complexity makes it nearly indecipherable and it would be simplistic to simply blame the absence of records. Political machinations and the suppression of records seems the more probable hypothesis. Thomas Pollock cannot be solely responsible for the enmity toward Moseley, reflected by two governors, the Council and Assembly. Ludwell and Harrison seem to be unique in their focus upon William Maule and it should be pointed out that he used his position as chief surveyor to gain great quantities of land for himself before his replacement by Moseley (the second time as Surveyor-General) in 1723.\textsuperscript{37} Afterwards, Maule disappeared into the wilds of northern Bertie County.\textsuperscript{38} There were no “angels” in this affair.
For the purpose at hand, it remains sufficient to regard Edward Moseley and his friends as a significant disruption. What makes Moseley unique amongst these malcontents has to be his sustained presence in North Carolina politics amidst repeated complaints, heard all the way to its southern border, spanning three decades.

Historian Jill Lepore remarked that “War is politics by other means… a mean, contemptible thing.”39 It remains clear that comparable land practices and John Porter’s rumors spread amongst the Indians soon resulted in the “barbarous” death of John Lawson, beginning the Tuscarora War.40 Machinations and intrigues killed the Indians’ friend by their own hand, which typifies the character of the entire war. No one can ever say with certainty who was to blame, only who stood to benefit and later did. John Porter’s son would later become a brother-in-law of Edward Moseley.41 Porter’s attempts “to draw into their conspiracy the neighbouring Indians [Tuscarora] by them to cut off all such of her majesty's subjects as should oppose their lawless proceedings” earned his arrest by Governor Spotswood of Virginia in 1711.42 This made his later association with Edward Moseley suspiciously significant. Either way, Edward Moseley became the colony’s leading surveyor because of his adversary John Lawson’s death and would benefit from the clearing of Indian lands for survey.43 His 1733 map reflects this gain.

Moseley’s connections to Charles Town Indian slavers contributed to their entering the Tuscarora War. His controversial politics and activities undoubtedly stem from this relationship, a perpetual source of contention for Albemarle officials. South Carolinians, believing as did former Virginia governor, Thomas Culpepper that the Albemarle was the “Sinke of America,” came north to obtain Indian slaves, not to help Albemarle colonists.44 This point of view was proposed by revisionist historians Noeleen McIlveena and Stephen Feeley.45 Feeley stated that
Goose Creek slavers “set [their] sights upon North Carolina” and mostly desired to profit from the Indian raid. Illustrating this, Col. John Barnwell returned to Charles Town with his first load of Tuscarora slaves, to which Governor Hyde sarcastically responded to Barnwell’s actions as deplorable. The letter of Rev. Francis Le Jau to the Society for the Propagation of the Gospel stated, “Governor of Renoque [Roanoke] Collonel Hyde complains [peace] was done without his advise….” Hyde and his council, hoping to avoid dealings with Charles Town, still hoped for a positive response from Virginia’s Governor Spotswood. Historian Francis Hawks and Edward McCrady believed that the dispute between Barnwell and the Albemarle government arose due to the “friendship between Barnwell and Moseley.” Edward Moseley’s origins in Charles Town make the connection. He wanted his Charles Town friends (and future in-laws) to profit from Tuscarora Indian slaves, freeing their desirable lands and encouraged Barnwell’s aid while preventing possible aid from their colonial trade rivals in Virginia.

An overlooked reference in the Colonial Records reveals the intent. Moseley was entrusted with a dispatch to the Virginia governor, but lost it soon thereafter. An enraged Thomas Pollock demanded the Provost Marshall arrest Edward Moseley, charging that he “either Carelesly lost [the dispatch] or [it was] otherwise Imbezled by [him].” In Pollock’s eyes, Moseley’s actions threatened Albemarle lives while serving the purposes of Charles Town’s “Goose Creek” slavers. Furthermore, Pollock seemed certain that Moseley was somehow involved in intrigues with Col. John Barnwell. The pieces of the puzzle began to fit. Yet, Pollock could prove nothing and Moseley continued to flourish in the colony, becoming the new Surveyor-General within a decade. Again, the lack of opposing candidates probably waxed significant.
The Surveyor-General’s position afforded Edward Moseley some sideline benefits as well. Moseley eventually acquired Henderson Walker’s former properties, those afterward belonging to his wife, Ann and supposedly protected by her family. Edward Moseley, as a prerequisite for marrying Walker’s widow, bound himself to the “Honorable Saml. Swann Esqr. and Mr. John Lillington [Ann’s brother]” for £1,000. Swann had since died by 1713 and John Lillington suffered terribly in the Tuscarora War, his home and records of numerous surveys had been burned, to which he asked his brother-in-law, Edward Moseley for resurvey. Details are sketchy, but the pattern of intent peeks through. Moseley had wanted the land, indeed considered it his right, since he was magnanimous enough to marry the widow. Power and wealth came with the vows and so far, Moseley had been kept away from the wealth. The Tuscarora War provided this opportunity by putting John Lillington into a weak bargaining position. Between the end of the Tuscarora War in 1713 and 1728, Moseley recaptured 4,355 acres of his wife’s land mostly on waterways within the Albemarle region (Rockyhock, Kendrick’s, and Roanoke). Ann Lillington Walker Moseley most likely did not give her husband permission. Each of the eleven deeds at the North Carolina State Archives states “Release of Benj. Walker” and all occurred before November 18, 1732 while Ann was still alive. All attempts to locate Benjamin Walker in the *North Carolina Colonial Records*, Perquimans, Currituck, or Chowan Precinct records in this period remain ineffective and what relation he was to Henderson Walker unknown. It may not have been an exaggeration when Noeleen McIlveena called Moseley “land hungry.”

Still, Moseley’s numerous surveys and the map that resulted earned him respect, if mostly from later historians. For what reason did Edward Moseley produce this map? According to economic historian, Edwin J. Perkins, “productive land was the most valuable
economic resource in all preindustrial societies." His map of 1733 shows former Tuscarora lands divided by numerous named creeks almost in perpendicular fashion, as though he drew a coastal grid pattern, an advertising brochure for rich and fruitful lands in North Carolina. Presumably, Moseley could have simply marked off the lands of future settlers, perhaps even the actual surveys, from his map. Settlers’ names appear in the upper reaches of the Tar and Neuse Rivers, but not along the coastal and lower waterfront properties. By viewing this section of the map, one gets the impression that Moseley advertised for open lands in North Carolina, perhaps to possible English settlers not yet in America. Indeed, there are more known original copies of Moseley’s map in England today than there are in America. Whereas, colonists could easily (sometimes, free of charge) obtain that land on the headright system, they still had to pay a surveyor for his work which delineated the boundaries of that property. Any future disputes over ownership would heavily rely on that survey. Good surveyors were a valuable asset in colonial America and they charged fees accordingly.

Edward Moseley was a talented surveyor. William Byrd found the general negativity of his fellow Virginians concerning Moseley’s abilities to be unfair. In his words, Moseley “was not much in the wrong to find fault with the quadrant produced by the surveyors of Virginia…” and he prevented them from making an error “of near 30 minutes.” William Byrd respected Edward Moseley’s talents and detailed his survey techniques and his collection of equipment. A similar detailed reference can be found in the journal of Phillip Ludwell and Nathaniel Harrison in 1710. This same journal became the damning evidenced used against Lawson and Moseley the next year. Byrd’s 1727 account demonstrates further that surveyors routinely used this type of equipment, carrying a piece of lodestone to re-magnetize a small iron needle on their compasses before proceeding with their measurements. Eighteenth-century surveyors knew how
to measure angles, discern latitude, and draw accurate surveys. Edward Moseley certainly understood the finer points of the art.\textsuperscript{60} 

While Edward Moseley had the ability, he did not always use it. Presumptuous, Edward Moseley, like his ostentatious in-laws, believed that no one had more authority than himself. A December 1718 notation from the \textit{North Carolina Colonial Records} illustrates the anathema with, “Opinion of this Board that the sd Moseley and Moore are guilty of high Crime….”\textsuperscript{61} Not quite a decade following the 1718 end of the pirate, Black Beard, in a hurry to complete their plans in the Lower Cape Fear, Moseley and his brother-in-law quickly collected as much land along the Cape Fear River as they could before North Carolina or England realized what they were doing.

After the Goose Creek men had removed the Tuscarora and Lt. Robert Maynard killed the most notorious Carolina pirate, settlement across North Carolina began in earnest. Testimony to this stands Edward Moseley’s famous map of 1733 with the names of hundreds of settlers scattered across former Indian lands.\textsuperscript{62} Moseley finally profited from his efforts, though it took a few years for the dust to settle. England wanted the colony populated with white colonists and never disputed the means. Edward Moseley provided those means. His greatest talent was his ability to read England’s Tory desires. Ostentation played well with ostentation.

“Plausible” as a “Skilful Mathematician…” showcased unquestioned talent by developing his 1733 map of North Carolina derived from two decades of profitable surveying.\textsuperscript{63} William P. Cumming, noted map historian, endorsed the significance of Edward Moseley’s 1733 map in \textit{The Southeast in Early Maps} as one of the “most important type maps in the history of North Carolina cartography.”\textsuperscript{64} Today, an example of this extraordinary artifact survives as a Graham family donation to the Joyner Library of East Carolina University (ECU) in Greenville,
North Carolina. Two copies also exist in London. However, the copy held by the Special Collections Department of ECU in Greenville is the only known holding in the United States.\textsuperscript{65} Professor Ralph L. Scott, Curator of Old Maps for Special Collections at ECU, detailed the provenance of the various sightings of Moseley maps in a paper presented to the 15th International Conference on the History of Cartography in Chicago.\textsuperscript{66} Scott mentioned that ECU’s copy was found in Edenton in 1982.\textsuperscript{67}

Still, controversies followed Edward Moseley. North Carolina historians have long been aware of Moseley’s cartographic and philanthropic contributions and yet, most have never questioned the motivations behind them. The accusatory views of his contemporaries beg for an investigation. Still, Moseley’s obvious expertise makes his activities in North Carolina seem less accidental and rather criminal by today’s standards and his behavior in the Tuscarora War does not speak well of the man. The Duke of Newcastle held this view when he “settled” Cape Fear land issues through his use of George Burrington.

Blindly arrogant Edward Moseley and his family simply did not see that the days of Tory arrogance and feudalistic land practices were ending. The political atmosphere changed in England and it was filtering its way to the colonies. The “Age of Walpole” slowly built a wave of Whig reform that brought the first whispers of democracy to American shores. Opportunists like Moseley who may have gotten away with such arrogant practices before, would find it increasingly difficult to take advantage of the advancing colony of North Carolina. The Lower Cape Fear would be not only his undoing but the eradication of his family’s power in that colony as well.

Brother-in-law to South Carolinian Maurice Moore, Jeremiah Vail, and John Porter (son of the “incendiary” Quaker), Moseley continued the notorious blank patent affair even after
Burrington put a halt to Sir Richard Everard’s naïve practices. Moseley’s and his in-laws, North and South Carolinians, became known (even to contemporaries) as the “Family,” reminiscent of a modern-day Sicilian syndicate. Moseley’s talents and position as the colony’s surveyor helped the Family to amass tremendous quantities of land along the Cape Fear River, an extension of his practices on former Tuscarora lands. With Moseley’s professional and political support, the Family began the Brunswick settlement, a colony on that river regarded by many Englishmen of the time as independent of both North and South Carolina. The future American kings awaited coronation.

The Brunswick settlement was an autonomous and illegal colony. During its development, the Family avoided proper land grant procedures, buying and selling property amongst them, and confusing the provenance of that property beyond recovery. They also neglected to pay the rent. Edward Moseley once again drew accusations:

Mr. Lovick, and his two confederates Moseley and Wm. Little, ye Receiver General, to sign many pattents wherein ye number of acres are left blank…

… practices by Mr Moseley and his Deputies in returning to the Secretaries office Imaginary Surveys by which his relations hold great quantities of land more than are specified in their patents…

[Mr. Lovick] advised Sir Richard to grant no more Patents but by the Artifice and management of Mr Moseley then Surveyor Sir Richard did continue to issue Patents on which the Said Moseley and his Kindred were the most considerable gainers…

Moseley and his Relations have in four or five years time strangely enriched themselves.

Edward Moseley, Surveyor General of the late Lords Proprietors, and his Deputys, more especially Mr. John Ashe [deputy-surveyor in the Lower Cape Fear] etc. had been guilty of many vile frauds, and abuses in surveying; one of their practices was, to survey without warrants for gratifications…

Moseley when Surveyor did make surveys in his own house, and plotted out land upon paper, with bounds by waters, trees and other signs, and tokens, that he
never saw, nor knew anything off, includeing much more then in the returns sett forth, for which patents went out in course.75

Moseley in confederacy with some of the Council endavoured to stir up divisions in the Assembly and to prevent it from doing business, hoping thereby to put off any enquiries into the frauds he had been guilty of while Surveyor General etc.76

There have been for several years past very corrupt doings in the Secretary's office concerning the lands, transacted by Lovick and Edwd. Moseley, Surveyor Genl.77

North Carolina historiography has never told the correct story. Historian Lawrence Lee’s *Lower Cape Fear in Colonial Days* gives a detailed analysis of what happened in the colonial records from the perspective of a North Carolinian, unsympathetic to English considerations prior to the Revolution. Another Lower Cape Fear historian, Bradford Wood argues very much the same as Lee in his book, *This Remote Part of the World*. Wood provided an excellent quantitative view but, he still missed the English perspective. George Burrington’s actions should be viewed through this type of lens, as an English governor, not an irate foreigner, mad about a squatter on his American property. There remain more complications to this story not easily apparent.78

Originally, George Burrington helped the Family in the Brunswick settlement. “To him, more than any other person, was due the upbuilding of the Cape Fear region,” said Marshall Haywood in 1896.79 However, Burrington never intended the Family to personally possess the Lower Cape Fear and grew angry at the betrayal and abuse of privilege he (and the King) afforded them. George Burrington became grossly intolerant of Moseley’s surveying practices as a result, an opinion that he shared with Pollock, Hyde, Glover, and presumably, John Lawson before he died. Burrington declared his anger to the Board of Trade and to Newcastle.80

Burrington did have warning. Four years prior to writing Burrington upon his installation as the first royal governor in 1731 (second term), William Byrd spent a grueling month in the
wilds of the Dismal swamp with “Plausible” to survey the Virginia-North Carolina line. Knowing Edward Moseley all too well, Byrd undoubtedly referred to him when he intimated, “by some samples I have known of that Country it will cost a pretty deal of trouble to bring it into order….“ Byrd understood that if Burrington was going to follow his instructions and make North Carolina a manageable colony for the new Whig administrators in England, he would definitely have to deal with “Plausible."

The politically conservative Family had every reason to hail the return of George Burrington as a positive event. Moore’s relatives regarded Burrington as completely “Affable and courteous, his Justice very Exemplary.” Still, Burrington’s irascible antics in his first term as a proprietary governor angered everyone else. Only the Family, hoping for Burrington’s continued support in the Brunswick settlement, would have declared friendship. Most North Carolinians feared the unpredictable governor. Moreover, the Family miscalculated Burrington’s equally firm loyalty to the Crown. Newcastle chose his weapon well. Furthermore, the vengeful governor resolved to deal personally with Maurice Moore’s betrayal.

The first Assembly meeting in April 1731, after Burrington’s return, became his opportunity to deliver the first preemptive strike against the Family interest. At that meeting, on April 13, 1731, Burrington requested his town. The shocked members of the Assembly, mostly Family members, responded that there “is a Town already established” on the Cape Fear River. In addition, Joseph Jenoure replaced Edward Moseley as the colony’s surveyor, an act that shocked Moseley, delaying the transfer of official papers from his office, presumably papers that incriminated him. Moseley lost another office and more income to William Smith, replacing him as treasurer. The sudden, unexpected opposition from an expected ally sent shockwaves through the Family, extending as far as Goose Creek, South Carolina.
George Burrington, sent back to North Carolina by the Duke of Newcastle to facilitate royal control, encountered a conservative Family resistance immediately. In a letter to the Board of Trade, Burrington explained the situation:

About 20 men are settled at Cape Fear from South Carolina, among them three brothers of a noted family whose name is Moore, they are all of the sett known there, by the name of the Goose Creek Faction. These people were always very troublesome in that Government, and will without doubt be so in this. Already I have been told they will expend a great summ to get me turned out. Messengers are continually going and coming from Moseley and his crew to and from them.86

Burrington further charged that Moseley “plotted out land upon paper, with bounds by waters, trees and other signs, and tokens, that he never saw, nor knew anything off.”87 This accusation of Edward Moseley’s activities had a familiar ring to an annoyed Board of Trade. Furthermore, an analysis of Maurice Moore’s deeds from this period verifies Burringon’s assertions. Burrington was right about Moseley. Edward Moseley did, in fact use his map or notes for his map to produce surveys without actually surveying property. This time, with Tories no longer in power, the Board of Trade could not look away. The Brunswick settlement was illegal.

Anxiously challenged by royal imperatives and encouraged by the profits obtained through the blank patent affair, Moseley routinely broke the rules. Certainly, his early activities as surveyor in the Albemarle set a damning precedent. Once again, settlers could not determine their land’s bounds by the information provided in the grants and often had to have them resurveyed at a later date. Accusations though, still require proof. Close examination of Moseley’s surveys provide that proof.

George Moore, the son and heir of Maurice Moore’s brother, Roger, encountered land problems after the death of his father. Moore found it difficult “to trace the lines of the said Land as Described in the said Patent.”88 Figure 1 shows that Moore’s patent traced out a simple
geometric figure and should not have been easy to misjudge. In fact, this 3,000-acre patent contained a good deal more than stated and apparently indicated landmarks that did not exist. Moore petitioned for resurvey in 1753. John Nairn also prayed for resurvey of his patent after discovering “some of the Courses of which were omitted.” Another colonist, Thomas Mace petitioned for 320 acres on Dutchin Creek only to find that his survey ran over the land of Joseph Shelburn. This became a familiar occurrence in the Colonial Records. Ironically, Edward Moseley seems to have even cheated himself on one of his hurried, indiscriminant surveys as seen in Figure 2. Still, these examples could have been the errors of a colonial surveyor with crude equipment and knowledge, if we allowed Edward Moseley the benefit of doubt. A deeper investigation into the Cape Fear Brunswick settlement reveals so much more.

After Burrington’s first departure from North Carolina, the Family expended years of effort in the Brunswick settlement. Maurice’s brother, Roger Moore’s 5,500-acre patent of October 26, 1726 lies between the Northeast branch of the Cape Fear River and its Northwest counterpart (Figure 3). The survey, probably drawn by Moseley, displayed an odd 660-foot wide and 1.5 mile long “finger” towards the north. This thin strip served as road access and was the forerunner of modern Highway 421. Still, Roger Moore’s grant of 1726, probably extracted from a previous rough survey, seems certainly inaccurate. Comparison with a modern map proves highly difficult. However, Moseley’s map allows for this survey much better, hinting at Burrington’s report that Moseley “did make surveys in his own house, and plotted out land upon paper.” Although suspicious, the necessary, definitive proof has yet to be shown.

Furthermore, Maurice Moore’s “Barnard’s Creek” detailed patent of July 29, 1730 (file #166) shows a direct relationship to the recently constructed “Brunswick Road” from the environs of the future Wilmington, now Highway 132. Both of these modern highways
correspond to colonial roads that appear on Collet’s 1770 map (Figure 4). The implication, of course, becomes that the Family had extensive plans for their settlement, including roads that survive today, some of them planned from later voided patents, owing to George Burrington’s use of royal prerogative.

The work of Ida Brooks Kellam and Donald R. Lennon in 1973 attempted to detail the beginnings of Wilmington in the administrative void of 1732-1735, when Governor George Burrington came under virtual attack by the Family for voiding their patents. Those beginnings tell of early Wilmington co-founder, John Maultsby, who obtained his land on the east side of the Cape Fear River bordering John Watson’s “Newton” grant on June 3, 1730. Actually, the date of Maultsby’s purchase (before the voiding incident) becomes significant to the investigation. This purchase from John Gardiner Squires did not involve a grant from the careless governor, Sir Richard Everard and, thus was not considered illegal. Squires sold Maultsby the property, probably patented in 1727. Interesting about Maultsby’s purchase from Squires, it shows a “S. 30 E.” line between their properties, a line later repeated in the patent of John “Whatson” three years later (Figure 5).

Why the 30-degree line? Most eighteenth-century surveys in the area of Wilmington deviated by no more than ten degrees. Maultsby’s 1730 purchase recorded the later boundary with Watson intentionally as “S. 30 E.” Yet, no other proprietary patents in this area show a 30-degree line. The reason for Maultsby’s odd boundary becomes apparent after Burrington’s voiding of Family grants in 1732 and a careful study of Moseley’s 1733 map.

Edward Moseley drew Maurice Moore’s warrant #167, a survey that supposedly was performed on the east side of the Cape Fear River across from and “a little above old town [creek]. However, the details of the survey fit no known riverfront property at that location
today (the area of present Wilmington). Where was this land supposed to be? The starting reference of “80 poles below the mouth of a creek” identifies no specific waterway. Still, it could have been Greenfield Creek just below Wilmington, which, by the way, had no mentioned name prior to the founding of Wilmington.

A clue to the origin of this survey can be found in the Colonial Records. Sir Richard Everard, as interim governor, granted patents indiscriminately, without acreage, dates, surveys, or other normal details. Advised against the practice, Edward Moseley continues it, as Burrington accurately alleged.98 Certainly, #167 for Maurice Moore shows no signatures nor did it even have a date. However, #167 may be a warrant-survey only, and not yet an officially recorded patent. Moore’s warrant #167, for 640 acres, does not appear on George Burrington’s list of patents made by Everard.99 Burrington made this list to send to the Board of Trade during their investigation of the accusations against the ex-interim governor. However, Moore’s patent #166, for Barnard’s Creek, does appear on this list. Therefore, either Burrington overlooked #167 while making his list for the Board or it had never been patented. This scenario makes sense, as the Colonial Records indicate that a “vast number of surveys made at Cape Fear wch. is not yet patented…” existed.100

From Moseley’s perspective, as reflected in the 1733 map, the Cape Fear River above Old Town Creek appears to run roughly 45° from northeast to southwest. A large bulging area on his map appears on the east side of the Northeast Cape Fear River just south of the confluence with the “thoroughfare” (Figure 6).101 In reality, the river flows almost directly south at that location. This was Moseley’s error. He simply drew a horizontal line 660 poles from a “point 80 poles below the mouth of a creek [modern Greenfield Creek],” then a vertical line 960 poles “north” directly to the river (Figure 6) on his map.102 This error put the actual land granted (as
viewed on a modern map) thirty degrees counterclockwise to the west. It gives the exact location and description of “John Whatson’s” northern patent line, recorded in 1735 as “S. 30 E.” (Figure 7).103 All other 1735 grants in the area of “Newton” have right angles, with few minor exceptions. None of these exceptions exceeded 10 degrees, probably due to a magnetic declination of roughly 10.5 degrees during the period 1727-1730 and the general misunderstanding of the technology amongst the average surveyors of the time.104 Of course, the 1735 surveyors would have been Joseph Jenoure or John Lovick, not Edward Moseley. Maultsby’s and Watson’s common boundary came from this error of Moseley’s, when he did not actually survey the warrants, but drew straight lines on his map. The most reasonable conclusion is that Maurice Moore once held the land that became Wilmington, the original warrant #167. The devout churchman and trusted public servant, Edward Moseley sat at his desk and haphazardly sketched this survey in less time than it took to powder his wig.

Of course, all of Moseley’s surveys were not drawn from his desk, especially when the Family wanted clear ownership of a particular property. Moore’s more southern “Barnard’s Creek” patent, #166, shows definite boundaries, illustrating the fact that the surveyor was careful with this highly profitable swamp. The Family focused more attention upon this land as Maurice Moore considered it valuable for its potential to grow rice, a practice common to his fellow South Carolinians. Patent #166 in no way represents the layout of land as displayed by Moseley’s map. Moore’s 1730 grant for “Barnard’s Creek” fits perfectly on a modern map, however and contains a great deal more complexity than #167. This clearly indicates that every detail of this particular grant was surveyed, on site with a working, lodestone-charged compass in hand. Ironically, it proves to be even more damning evidence against Edward Moseley.
Another important illegal point investigated by the Board of Trade regards the actual size of the grants compared to the stated size on the deed. As indicated by Figure 7, #167 displays acreage closer to 1,500-1,700 acres rather than the stated 640. While this was illegal, #166 was a great deal worse. Maurice Moore’s “Barnard’s Creek” patent, #166, plotted on a modern map shows roughly 3,500 acres instead of 1,500 (Figure 8). This discrepancy on such an accurate survey must have been intentional and grossly illegal, a flagrant violation that revealed the Family’s modus operandi. Discovery of such an attempt might well have been the impetus for voiding some proprietary grants, specifically Maurice Moore’s #166 and his improper warrant to the north, #167, now known as Wilmington.

The Colonial Records hint at the dropping of the royal “hammer.” A 1732 complaint alleged that several men had their land taken from them by “Coll: Robert Halton one of the Council and Provost Marshall of the Province by the Governors appointment.”105 As Provost Marshall, he would be responsible for serving the orders of the council. Royal patents issued to Robert Halton, as well as Watson, Dyer, and others, filling up Moore’s former property. Chief Justice William Smith obtained land there as well.106 Regardless of the Board’s wishes, Burrington’s anger at Maurice Moore’s earlier betrayal found definite, possibly singular, expression. The Family’s irate memorandum may have pleased the Board even more, desiring the monopoly’s undoing while Burrington may only have intended Maurice Moore to suffer. As incensed as he must have been, Moore did not yet draw attention to his illegalities during the tumultuous Whig reassertion of 1733-1735. He became more vocal later.

On June 18, 1736, Maurice Moore bravely made a “reduced” claim of 600 acres on Barnard’s Creek, 300 acres for which Richard Evans also petitioned. The warrant he presented to the council did not appear valid. The council refused Moore’s petition, stating the “Bounds
not being ascertained in the Warrant.” The council gives Moore two months to produce the original warrant before issuing a grant to Evans.  

The following meeting, on October 15, 1736, the council reconvened and, this time, heard attorneys for both Evans and Moore. Edward Moseley, now acting as Moore’s attorney “alleged that [Maurice Moore] has a patent for said land.” Again, Moore’s legal counsel produces no warrants, only a hidden threat. Moseley’s presumed authority does not overly sway the council, although it still gave his client a final chance at the next meeting in New Bern to produce the promised patent.

Smith’s sense of humor soon wore thin, however. By March 1737, the council temporarily forgot the alleged patent controversy without Richard Evans there to remind them, and casually granted Maurice Moore 600 acres on March 8, 1737. Much to the triumphant Moore’s dismay, John Montgomery arrived only a day later to petition the council for Richard Evans’ 300 acres, which Montgomery recently purchased from Evans on April 20, 1736. Richard Evans likely tired of the trouble. The council repealed their recent grant to Moore and ordered read the last order of the court pertaining to this property, ordering Moore to “produce his patent.” “Whereupon Mr Moseley produced a Copy of a patent which he affirmed included the Land petitioned for by the said Montgomery and that a patent formerly mentioned in relation to this 300 acres of land was a distinct [valid] patent.” However, this “valid” copy (perhaps hastily forged by Moseley for this purpose) could not substitute for the original patent, the required proof. Again, the court allows another chance to produce a valid, original patent. Family presumption became grossly apparent in these stall tactics. It should be remembered that while the Family occupied a majority of seats on the Governor’s Council, William Smith, as
President, had the controlling vote. Weighing against Maurice Moore was the fact that Smith hated Edward Moseley, presumably for striking him in public in January 1735.113

That September, the council listens to Eleazer Allen as he argued for 1,640 acres, patented in October 1728 for Joseph Wragg of Charleston, South Carolina.114 Smith put this Family claim off until the next meeting. Interestingly, four Family members, Nathaniel Rice, Eleazer Allen, Roger Moore, and Edward Moseley are the council members in attendance, with William Smith, the President of the Council; a substantial unbalanced threat, indeed. John Watson also made an appearance to make a minor adjustment to one of his already confirmed patents. The atmosphere in the room must have been thick with anger. Moseley appeared for Maurice Moore once again, laying threats before Smith rather than the requested patent. William Smith, infuriated by the obvious deceits and delays (and at Moseley personally), issued this pronouncement:

The Pretended Original Patents for Land on Banards Creek claimed by Col Maurice Moore for which Richard Evans has several times applied for a Patent by Virtue and in consequence of a Warrant regularly executed and returned into the Secretary's Office being called for pursuant to the order of last Court the Board was informed that the said Col Moore instead of conforming to the said order for producing the same at this Court and Col Moseley's Consent and Engagement on his behalf had sent his Excellency a Letter acquainting him he had sent the said Patents to England to justify himself to the King and clear up his Reputation or to that Effect which he had now so fair an opportunity of doing by complying with the said order and obligation were he really innocent of the Suggestion in the Secretary's Report in relation to one of the said patents made in Council October 15th 1736 and so strongly confirmed by his whole conduct and proceeding throughout especially the latter part of it.115

Moseley and Moore probably did not send a forged document to the King. A notation immediately follows Smith’s legislative outburst in the record, granting Jonathan Montgomery 300 acres in New Hanover. George Burrington referred to William Smith a few years before as “a weak hasty young man drunk from morning till night” in his complaint to the Board.116
Ironically, this “weak hasty young man” became Burrington’s champion against the Family. Maurice Moore did not obtain any of his former lands on Barnard’s Creek and his plans for a rice plantation caved.

It seems that Maurice Moore mostly desired the potential rice plantation on the Barnard’s Creek watershed. Starting with a patent of well over 3,500 acres, yet stated to be only 1,500 acres, he attempted to recover what he viewed as the most valuable part of the grant, 600 acres in the watershed of Barnard’s Creek and his future dreams of a rice plantation on that property. The timing of the original patent, July 29, 1730 occurred after the proprietors had already sold North Carolina to the Crown. The warrant represented a gross violation of the royal orders not to grant any further warrants until His Majesty’s approval through Burrington. As previously mentioned, this patent was on the list that Burrington sent to the Board of Trade. Moore could not hide from this one. Illegal, Moore’s patent embarrassed the Family and incriminated them. Still, Moseley and Moore arrogantly used fraudulent means to recover the former losses, which also did not work, ignoring public exposure of their crimes.

Governor George Burrington told the truth in nearly every accusation that he made about Edward Moseley. Examining various surveys of Family property, especially during 1729-1730, confirms that the Family attempted to grossly inflate their actual land holdings through the blank patent affair. Having a Surveyor-General in the Family certainly helped in that respect.

Burrington’s list of 225 colonists receiving land grants during Sir Richard Everard’s administration tells a remarkable tale indeed. Other Family members aside from Edward Moseley appear on this list, many of whom already had all the land that they needed by 1728, John Baptista Ashe received 2,560 acres, Eleazer Allen, a mere 640, and Maurice Moore himself only received 7,780. Of course, some of Moore’s grants were proven to be as much as two and a
half times larger than they were stated to be, inflating that number. Still, of 289,895 acres that were granted during those few years of the blank patent controversy, a full 29,925 acres belonged to Edward Moseley. More than 10% of the land went to him, much of it upon former Indian lands north of the Roanoke River. Moseley had priorities quite apart from his Family. One grant totaled as much as 10,000 acres alone on Swift Creek. Many of Moseley’s grants were large. The governor, Sir Richard Everard had the same number of grants (sixteen) as Moseley, but a total of only 18,077 acres. Much of the Family got at least portions of their grants back after 1735, but scant few of Moseley’s properties appear in the records after that date. He lost a lot of land.

Moving from Edenton to the western shores of the Cape Fear River amongst his in-laws, Moseley assisted in the determination of the boundary between the Carolinas, publishing a revised version of his famous 1733 map in 1737. “A New and Correct Map of the Province of N.C.,” finally displayed an accurate determination of the Carolinas’ boundary, which Moseley helped to survey. The 1737 map did not so much focus upon personal benefit and it showed that Brunswick Town clearly sat within North Carolina and not South Carolina, as indicated on Moseley’s earlier version of 1733. This subtle distinction was used by Moseley and Moore to both validate and confuse their claims to the region west of the Cape Fear River. For a brief time, they literally ruled the “colony of Brunswick,” a short lived fantasy smashed by royal decree. Apparently, Moseley and Moore no longer sought an independent colony by 1737. Yet, they still hoped for the lion’s share of the Lower Cape Fear “kingdom.”

Of particular note four years after the establishment of the town that became Wilmington, Moseley omits any reference to the town from his 1737 map, clearly an oversight by such a capable surveyor. After turbulent times, Moseley and his relatives still hoped to preserve their
fortunes in the Brunswick settlement and to eradicate Newton (Wilmington), across the river. After all, Newton sat on land once owned by his family, land that was taken away by George Burrington. Moseley did not want to advertise for Burrington’s new town, a town that successfully competed with his family’s Brunswick Town.

Moseley, undoubtedly cheated his fellow colonists in the Albemarle, stole land from and helped enslave Native Americans, helped his Charles Town friends to profit from the Tuscarora War, and crowned himself a virtual “King” in the 1730s. Edward Moseley was also a devout Anglican Church member and supporter of the Chowan vestry who donated his Christian library to the people of Edenton. “Conundrum” seems the only word to describe him and historians today have not been so quick to praise his activities in North Carolina. Edward Moseley, however, left some popular keepsakes: his maps of 1733 and 1737 and the boundary lines with Virginia and South Carolina as well as the book collection. After the Revolution, Cape Fear historiography protected Edward Moseley and has not been kind to the Devon-born governor of “grievous faults,” Burrington.120

Professor Ralph Scott respected Moseley as a capable cartographer, yet compared Moseley’s political “exploits” with those of the notorious pirate, Black Beard.121 Researcher Kevin Duffus, in his book about the final days of the pirate, presages the illegalities of the controversial pair of Edward Moseley and Maurice Moore in the early years of their partnership in North Carolina. The two men opposed Governor Charles Eden, trying even to find physical evidence of his complicity with the infamous pirate. No thief was safe. They broke into John Lovick’s house, nailed the door shut and rifled the colony’s records for about twenty hours. Still, they never found the evidence that they sought. While it may have been true that Eden
offered assistance to Black Beard, Moseley could not do his business while prospective colonists were afraid to settle in North Carolina. At least, Duffus believes it.\textsuperscript{122}

Edward Moseley’s administrative muscle and his position as Surveyor-General served as the Family’s greatest asset in the Brunswick settlement. Though, if not for Moseley’s gross violations with surveys, royal officials may never have focused upon Cape Fear so intently. Wilmington may never have been born. North Carolina owes that much to Edward Moseley.

Moseley had been defrocked and dethroned by his superiors in England. After the Revolution, aversion to Anglo-centrist sentiment suppressed Moseley’s faults and elevated his contributions in North Carolina. Moseley’s crown has been safe for over two hundred years. His reputation barely suffered. Maurice Moore’s son’s valuable services during the Revolution protected his reputation as well, proven by Samuel Ashe’s three-generation salute to the Moore family.\textsuperscript{123} Interestingly, Ashe published only incidental quips of his great-uncle, Edward Moseley.

Just as desirable an outcome, North Carolina also gained an enormously profitable port on the Cape Fear River that survives today. Few remember Brunswick Town. The next royal governor after Burrington, Gabriel Johnston encouraged the prominence of Wilmington, confirming its value to the colony and eventual state. The enormously successful port town became the acting capital of the colony and should not be underestimated in Whig colonial politics.

As an after note, Gov. James Moore, father and mentor of the “Kings of Cape Fear” and Goose Creek Indian slave trader, officially remarked in the House of Commons on the “proper” practice of piracy in Carolina. Moore’s nineteen-year-old protégé, Edward Moseley may very well have stood behind him in court when he declared,
Mr. Painter [Peter Painter] having committed Piracy & not having his majesties Pardon for ye Same. Its resolved he is not fit for that trust.124

Until royal control “civilized” English America, pirates both on land and sea occupied a revered place in colonial society. Flamboyant and controversial men like Spanish-raiding, Indian-slaving James Moore and his protégé, Edward Moseley were often decidedly “fit” for the eighteenth-century trust of piracy.

Today, the last will and testament of Edward Moseley occupies a hallowed place in North Carolina’s state archives.125 Highly detailed, it lists nearly a hundred slaves by name and continues for eight separate pages. Probated in August court of 1749, Moseley’s departure accompanied the exits of his three in-laws, Eleazer Allen, Roger Moore, and Maurice Moore, all dying within a decade of each other. As one of the last of the original “Kings of Cape Fear,” Moseley surprisingly passed an untarnished crown to his sons and to the people of the state.

Today, two highway markers stand as memorials to Moseley and Moore’s service to North Carolina on Highway 117 in Pender County. Governor George Burrington’s marker reflects the state’s neutrality, somewhat dissimilar to the praise of his opponents in the Lower Cape Fear. Furthermore, the new “Salmon Creek and Eden House” sign obscures Thomas Pollock as “another colonial governor” amongst collective others like Charles Eden and Nathaniel Batts.126 Politics patterned the course of events. News and Observer reporter, Rob Christensen wrote The Paradox of Tar Heel Politics because he saw a unique political trend in North Carolina that he found in no other state.127 Controversial politicians like Senator Jesse Helms were raised on yarns of North Carolina’s “Great Men” like Edward Moseley and Maurice Moore. Well that explains traditional Tar Heel politics… and, of course Jesse Helms.
9. Ibid.
10. Ibid.


27 “Representation to the Queen from the Board of Trade [On behalf of Virgina]” (Feb. 22, 1711), Great Britain, Colonial Office, copy held by the North Carolina State Department of Archives [71.1253.1-10].


31 Memorial from the North Carolina Governor’s Council and General Assembly concerning the state of the government, including acts of the North Carolina General Assembly (1711), *Colonial Records*, 1: 784.

32 Ibid, 1: 785.

33 Ibid, 1: 786.

34 “Minutes of the Virginia Governor’s Council” (October 24, 1710), *Colonial Records*, 1: 747.

35 “Representation to the Queen from the Board of Trade [On behalf of Virgina]” (Feb. 22, 1711), Great Britain, Colonial Office, copy held by the North Carolina State Department of Archives [71.1253.1-10].

36 “Minutes of the North Carolina Governor’s Council” (August 11, 1714), *Colonial Records*, 2: 142.


38 Secretary of State Records,


40 Baron Christoph von Graffenreid, “Narrative by Christoph von Graffenried concerning his voyage to North Carolina and the founding of New Bern [Translation],” *Colonial Records*, 1: 905-986; Thomas Pollock, “Letter from Thomas Pollock to [Robert Hunter]” (March 6, 1713), *Colonial Records*, 2: 24; John Henry Oden, III, Collection (#1150), Special Collections Department, J. Y. Joyner Library, East Carolina University, Greenville, North Carolina, USA.

41 Samuel A. Ashe, *Biographical history of North Carolina from colonial times to the present, Volume 2* (Greensboro, N.C.: Charles L. Van Noppen, 1906), 373; “Personal Genealogical Notes, Lillington Family,” #746.18.X, “Personal Genealogical Notes, Porter Family,” #746.23.m, William L. Murphy Collection (#746), Special Collections Department, J. Y. Joyner Library, East Carolina University, Greenville, North Carolina, USA.


43 “Minutes of the North Carolina Governor’s Council” (August 11, 1714), *Colonial Records*, 2: 141.


48 Feeley, Tuscarora Trails, 209.
49 “Memorial from the North Carolina Governor's Council and General Assembly concerning military aid from Virginia” (1712), Colonial Records, 1: 836-837; “Minutes of the North Carolina Governor's Council” (January 12, 1713), Colonial Records, 2: 3.
51 “Instructions to Edward Moseley as Surveyor General of North Carolina” (June 3, 1723), Colonial Records, 2: 491.
53 John Henry Oden, III, Collection (#1150), Special Collections Department, J. Y. Joyner Library, East Carolina University, Greenville, North Carolina, USA; “Minutes of the North Carolina Governor's Council” (August 11, 1714), Colonial Records, 2: 141.
55 McIlvenna, A Very Mutinous People, 123; “Genealogical Notes, Lillington Family,” #746.18.X, “Genealogical Notes, Porter Family,” #746.23.m, William L. Murphy Collection (#746), Special Collections Department, J. Y. Joyner Library, East Carolina University, Greenville, North Carolina, USA.
57 Byrd, Histories of the Dividing Line, 11.
60 “Lodestone Compass: Chinese or Olmec Primacy?," Science (September 5, 1975), 189: 4205, 753-760.
61 “Minutes of the North Carolina Governor's Council” (December 30, 1718), Colonial Records, 2: 321.
65 “1733 Edward Moseley Map,” Joyner Library, Special Collections Department, East Carolina University (Greenville: East Carolina University, 2010), http://www.ecu.edu/cs-lib/spclcoll/eastcarolinacoll.cfm#Map (accessed January 16, 2010).
67 Ibid., 5-6.
71 George Burrington, “Letter from George Burrington to the Board of Trade of Great Britain” (September 4, 1731), Colonial Records, 3: 208.
72 Ibid., 3: 205.
73 Ibid., 3: 209.
75 Ibid.
79 Haywood, Governor George Burrington.
82 “Minutes of the Lower House of the North Carolina General Assembly” (November 2, 1724), Colonial Records, 2: 578; Haywood, Governor George Burrington.
83 Ibid., 3: 257-284.
84 Ibid., 3: 296.
85 “Minutes of the North Carolina Governor’s Council” (April 22, 1731), Colonial Records, 3:217.
88 “Minutes of the North Carolina Governor’s Council” (May 12, 1753), Colonial Records, 5: 34.
89 “Minutes of the North Carolina Governor’s Council” (November 11, 1735), Colonial Records, 4: 69.
90 “Minutes of the North Carolina Governor’s Council” (February 20, 1736), Colonial Records, 4: 217.
91 Land Office: Land Warrants, Plats of Survey, and Related Records, Secretary of State Record Group, State Records, Old Book 2, 217 (microfilm S.108.451; Frame:30) North Carolina State Archives, Department of Cultural Resources (Raleigh, N.C.: Division of Archives and History).
98 George Burrington, “Letter from George Burrington to the Board of Trade of Great Britain” (September 4, 1731), Colonial Records, 3: 205.
100 “Memorandum by Robert Forster concerning the fees earned by the Secretary of North Carolina” (August 8, 1731), Colonial Records, 3: 199-200.

Land Office, Old Book 2:217.


Nathaniel Rice and John Baptista Ashe and John Montgomery, "Memorial from Nathaniel Rice, John Baptista Ashe, and John Montgomery concerning their dispute with George Burrington" (September 16, 1732), Colonial Records, 3: 364; "A Map of the division line between the Provinces of North and South Carolina, containing thirty miles along the Sea Coast from the Mouth of Cape fear River, and from thence continued on a N.W. Course for sixty-two miles and one quarter. Survey'd in the presence Robert Holton, Matthew Rowan and Edward Moseley, Commissioners on the part of North Carolina. By W. Gray, Surveyor. MS. 1 mile to 1 inch." Colonial Office and predecessors [CO 700/CAROLINA8], National Archives, Gloucester Division (London, England), http://www.nationalarchives.gov.uk/ (accessed July 13, 2009).


"Minutes of the North Carolina Governor's Council" (June 18, 1736), Colonial Records, 4: 220.

"Minutes of the North Carolina Governor's Council" (October 15, 1736), Colonial Records, 4: 225.

Ibid.

"Minutes of the North Carolina Governor's Council" (March 8-March 9, 1737), Colonial Records, 4: 274-5.


"Minutes of the North Carolina Governor's Council" (March 8-March 9, 1737), Colonial Records, 4: 274-5.

"Minutes of the North Carolina Governor's Council" (January 29, 1735), Colonial Records, 4: 33.

"Minutes of the North Carolina Governor's Council" (September 10, 1737), Colonial Records, 4: 279.

"Minutes of the North Carolina Governor's Council" (September 12, 1737), Colonial Records, 4: 279.


Edward Moseley, Moseley Map (#MC0017), Special Collections Department, J. Y. Joyner Library, East Carolina University, Greenville, North Carolina, USA; Edward Moseley, A New and Correct Map of the Province of N.C. (#MC0035), Special Collections Department, J. Y. Joyner Library, East Carolina University, Greenville, North Carolina, USA.

Moseley, A New and Correct Map (#MC0035).


Scott, A "plausible" explanation, 3.


Journal of the Commons house of assembly of South Carolina for the session beginning August 13, 1701 and ending August 28, 1701 [microform], Ultralac 40114 (Columbia, S.C. : Printed for the historical commission of South Carolina, 1926).

Edward Moseley, Last Will and Testament (1749).


Figure 1: Roger Moore’s Black River 3,000-acre survey of August 5, 1727. A survey involving a simple geometric shape that should have been easy to figure. Perhaps Moseley was not proficient at trigonometry; however, for a surveyor, this would have been odd. It is also difficult to imagine that George Moore could not define these bounds, unless the bounds ran across other owner’s property or water courses that were not mentioned or taken into account of before the grant. Either way, Moseley did not fully survey this land, either. [Secretary of State Land Grants, Book 2, 217 (microfilm S.108.451; Frame:30) North Carolina State Archives, Raleigh, North Carolina.]

Figure 2: Patent Book 2: page 217 - File #31, Edward Moseley’s 640-acre survey of July 31, 1730. Moseley had to have drawn this survey from his map, although it is not really certain what part of the map he used. One thing is certain, Moseley cheated himself in this particular grant. The survey bounds seem ludicrous and in no way fits the actual layout of the land as it was stated in the grant. Moseley’s map lacks any real detail on this particular area, so it is difficult to state for certain where he drew the survey, but he did not actually perform this survey. The 1733 inset location was chosen above for its rough similarity to the actual location. Any other branch of Northeast Cape Fear on Moseley’s map would give similar results. [Secretary of State Land Grants, Book 2, 217 (microfilm S.108.451; Frame:30) North Carolina State Archives, Raleigh, North Carolina; Google Maps produced the background image.]
Figure 3: Comparison map of a modern version of the confluence of the Northeast and Northwest Cape Fear Rivers on the left with Edward Moseley’s 1733 map on right. Roger Moore's 5,500-acre grant of 1726 is shown on the right. It is taken from Edward Moseley’s notes for the 1733 map. The left is a modern version supplied by Mapquest, Inc. The actual survey values that produced the plot on the right fit best when compared to Moseley’s map, implying that Moseley wrote those values from his map without actually performing a survey (Reference the stated bounds along the river, specifically). In truth, this survey is not that close to Moseley’s map, either. Obviously, Moseley’s ideas regarding the shapes of the rivers changed between 1726 and 1733. [Secretary of State Land Grants, Book 2, 217 (microfilm S.108.451; Frame:30) North Carolina State Archives, Raleigh, North Carolina.]
Figure 4: Roger Moore’s 5,500-acre grant as compared to Collet’s map of 1770, showing the location of the road planned in Roger Moore’s original grant of 1726. Note that this survey does not fit well on a modern map, showing the actual layout of the land. However, it fits more closely to a version of a map readily available to Edward Moseley at the time, one that he published in 1733 (Moore’s survey was made five years prior to publication of Moseley’s map and does not precisely fit the published 1733 map, either). This survey was not completely performed in the field. [Edward Moseley, Edward Moseley Map of North Carolina – 1733, Map Reprint, East Carolina Manuscript Collection (Greenville, N. C.: Friends of Joyner Library, 2000); A Compleat Map of North Carolina from an actual Survey – 1770, by John A. Collett, Map Reprint, North Carolina in Maps. (Raleigh, NC: State Department of Archives and History, January 18, 1966); Land Office: Land Warrants, Plats of Survey, and Related Records, Secretary of State Record Group, State Records, Old Book 2:217, Microfilm S.108.451; Frames:30 (Raleigh, N.C.: State of North Carolina).]
George the Second &c. Know ye that we have Given & Granted to John Whatson Six hundred & forty Acres of Land in New Hanover precinct opposite to the Thoroughfare to the N.W. River and is called Newton beginning at a pine John Maultsby's corner tree, yn S° 30° E. 290 poles to a pine Maultsby's & Col' Haltons corner yn S. 160 poles to a pine yn E. 192 pole to a pine yn S. 108 po. To a pine yn W. 480 po. To a water oak, thence along the River to the first Station. To hold &c. Witness &c. this 13th day of Sept' 1735. Gab: Johnston.


File #167: Know ye Ye that we have Given & Granted unto Maurice Moore a tract of Land containing Six hundred and forty Acres lying in Bath County on the E. side of Cape Fear River, beginning at a pine about 80 pole below the mouth of a Creek, a little above old town running Then E. 660 pole to a pine, then No. 960 pole to a pine then Wt 15 po. to the River, then down the River to the first Station. To Hold to the said Maurice Moore his Heirs and Assigns forever. [Land Office, State Records, Old Book 8:109, Microfilm S.108.451: 168, S.108.910:132]
Figure 7: Warrant #167 to Maurice Moore, probably never patented, covered the area later patented by John Watson that became “Newton” (green plot). The survey for #167 was probably made just as Burrington suggested, with Moseley’s map. The map shows a different angle for “North” at the location of Wilmington. When warrant #167 is assumed to have the wrong angle and fitted onto the banks of the Cape Fear, it gives the exact location and angle of John Watson’s patent. John Maultsby’s land bordered Moore’s to the north of #167. His patent was not voided which preserved the original angle. Note that other 1735 grants do not have angles, merely rectangular plots aligned with North (Figure 9). [Land Office: Land Warrants, Plats of Survey, and Related Records, Secretary of State Record Group, State Records, File #167, Patent Book 8:109, Microfilm S.108.451; Frames:168 (Raleigh, N.C.: State of North Carolina); Edward Moseley, Edward Moseley Map of North Carolina – 1733, Map Reprint, East Carolina Manuscript Collection (Greenvile, N. C.: Friends of Joyner Library, 2000); [“Soil Map of New Hanover County,” New Hanover County, North Carolina Digital Archives, U-191 (Wilmington, N.C.) http://www.nhcogov.com; William G. Smith, Soil survey from Raleigh to Newbern, N.C., U.S. Government Printing Office, 187-205. (Washington, D.C.: USDA, 1900).]
Figure 8: Details of the attempt to determine the actual acreage of Maurice Moore’s “Barnard’s Creek” patent #166. Using multiple area estimates of the patent divided into three sections gives an estimate of roughly 3,500 acres. Moore’s patent states “1,500 acres” which appears to be a gross underestimate. [[Land Office: Land Warrants, Plats of Survey, and Related Records, Secretary of State Record Group, State Records, Old Book 8:109, Microfilm S.108.451; Frames:168 (Raleigh, N.C.: State of North Carolina); Calculations and display by Baylus C. Brooks.]}

Patent #166 to Maurice Moore (Barnard’s Creek)

#166, Book 8: 109 - Know ye Ye that we have given & granted to Maurice Moore a tract of Land containing fifteen Hundred Acres in Bath County lying on Barnards Creek beginning at a Water Oak on the E. side of Cape Fear River running thence S. 47 E. 412 poles to a pine, then N. 35 E. 320 poles to a pine, then N. 30 E. 320 pole to a pine, then S. 64 E. 200 pole to a pine, then S. 420 pole to a pine, then No. 75 Wt. 300 pole to a pine, then S. 50 Wt. 350 pole to a pine, then Wt. 80 pole to a pine on the river, thence up the river to the first Station. To Hold to the Said Maurice Moore his Heirs & Assigns forever. 20th July 1730 – Richard Everard, Edw. Moseley, Edm. Gale, Lovick, C. Gale.
Figure 9: Maurice Moore’s Barnard’s Creek Patent of July 29, 1730. A proprietary patent, #166, as well as #167, were misplaced in Book Eight, dated 1735-1738. Warrant #167 represents yet another patent issued from the desk of Edward Moseley, drawn straight from his 1733 map (inset) or notes for the map. Moseley erroneously inferred a right angle plot for #167, writing the data from the map rather than actually conducting the survey. This explains the 30-degree error, the unusual angle between John Watson’s property and John Maultsby’s to the north. Moseley actually surveyed the 1730 patent #166, remarkably accurate by comparison to #167, an earlier warrant. Warrants #166 and #167 became the focus of special attention by George Burrington in September 1732. [Land Office: Land Warrants, Plats of Survey, and Related Records, Secretary of State Record Group, State Records, Old Book 8:109, Microfilm S.108.451; Frames:168 (Raleigh, N.C.: State of North Carolina); The State of Water Quality in Wilmington: One of the City’s Most Valuable Resources, A State of the Environment Report (June 2006), Development Services, Planning Division: Environmental Planning (Wilmington, N.C.: City of Wilmington, 2006).]
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Primary


“A Map of the division line between the Provinces of North and South Carolina, containing thirty miles along the Sea Coast from the Mouth of Cape fear River, and from thence continued on a N.W. Course for sixty-two miles and one quarter. Survey’d in the presence Robert Holton, Matthew Rowan and Edward Moseley, Commissioners on the part of North Carolina. By W. Gray, Surveyor. MS. 1 mile to 1 inch.” Colonial Office and predecessors (CO 700/CAROLINA8), National Archives, Gloucester Division (London, England), http://www.nationalarchives.gov.uk/ (accessed July 13, 2009).


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**Secondary**


