

Heath Patent ^[1]

Heath Patent

by Robert J. Cain, 2006

Sir [Robert Heath](#) ^[2] (1575-1649), attorney general of England during the reign of [King Charles I](#) ^[3], in 1629 received from Charles a patent for all lands in America between 31° and 36° north latitude. The territory granted was named "[Carolana](#) ^[4]" in honor of the king and extended from the Atlantic Coast to the South Seas (Pacific Ocean). Within less than a year, a [Huguenot](#) ^[5] refugee in England, the baron de Sancé, was negotiating with Heath to establish a colony somewhere between [Cape Fear](#) ^[6] and Albemarle Sound. No settlement resulted, however, and in 1638 Heath conveyed his interest in Carolana to Henry Frederick Howard, Lord Maltravers. Maltravers and subsequent claimants under the grant also failed to organize any settlements.

Although the Heath patent contained no clause requiring the seating of colonists within Carolana, in 1663 and 1665 [King Charles II](#) ^[7] conveyed the territory, renamed "Carolina," to the eight [Lords Proprietors](#) ^[8], under the presumption that the Heath patent had lapsed. Claimants continued to contest the grants of the 1660s, however, and in 1768 the Heath title was finally extinguished with the Crown's compensatory grant of 100,000 acres in the colony of New York to the descendant of [Daniel Coxe](#) ^[9], who had acquired the Heath claim in 1696.

References:

Paul E. Kopperman, "Profile of Failure: The Carolana Project, 1629-1640," *NCHR* 59 (January 1982).

Mattie Erma Edwards Parker, ed., *North Carolina Charters and Constitutions, 1578-1698* (1963).

William S. Powell, "Carolana and the Incomparable Roanoke: Explorations and Attempted Settlements, 1620-1663," *NCHR* 51 (January 1974).

Additional Resources:

Report concerning Daniel Coxe's purchase of Robert Heath's Carolana Patent No Author 1699 Volume 01, Page 519, DocSouth: <https://docsouth.unc.edu/csr/index.html/document/csr01-0248> ^[9]

Sir Robert Heath's Patent 5 Charles 1st; October, 30 1629. Yale School of Law: https://avalon.law.yale.edu/17th_century/heath.asp ^[10]

Subjects:

[Precolonial period \(pre-1600\)](#) ^[11]

Authors:

[Cain, Robert J.](#) ^[12]

From:

[Encyclopedia of North Carolina, University of North Carolina Press.](#) ^[13]

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