

Heath, Robert ^[1]

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by [William S. Powell](#) ^[2], 1988

20 May 1575–30 Aug. 1649

See also: [Heath Patent](#) ^[3]

Robert Heath, [Proprietor](#) ^[4] of [Carolana](#) ^[5], and English attorney and judge, was the son of Robert Heath of Brasted, Kent, and his wife, Anne Posyer. He was born at Brasted and attended Tunbridge grammar school and St. John's College, Cambridge. Having read law at Clifford's Inn and the Inner Temple, he was called to the bar in 1603. He was elected to Parliament in 1620, appointed solicitor-general and knighted in 1621, and appointed attorney-general in 1625. As a member of Parliament Heath supported the royal prerogative, and as attorney-general he enforced laws against recusants and ordered the arrest of Jesuits; it was he who conducted many Star-chamber prosecutions of the 1630s and 1640s. In 1631, he became lord chief justice of the common pleas.

King Charles I on 30 Oct. 1629 granted to Heath the land between 31° and 36° north latitude—the territory between [Albemarle Sound](#) ^[6] and the modern Georgia-Florida boundary and extending from the Atlantic to the Pacific oceans. The land was named Carolana and under his charter Heath had broad feudal powers, yet laws for his colony were to be enacted by the free-holders or their representatives. A local nobility might be created and a gold crown was to be kept in Carolana for use by the king when he should visit there. Heath's attempts to attract [Huguenot](#) ^[7] settlers failed, and after a few years he transferred his rights to Henry Frederick Howard, Lord Maltravers. The name assigned to the region survived in a slightly modified form and various provisions of Heath's charter were retained in subsequent charters.

Heath married Margaret Miller by whom he had five sons and a daughter who survived him. Towards the end of the Civil War, he fled to France where he died at Calais. He was buried in Brasted Church. A portrait of him hangs in St. John's College. Another is in the Inner Temple, London, and in 1866 another version was in the possession of Lord Willoughby de Broke at Kingston.

References:

Dictionary of National Biography, vol. 9 (1950).

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

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> ^[8]

Sir Robert Heath's Patent 5 Charles 1st; October, 30 1629. Yale School of Law: https://avalon.law.yale.edu/17th_century/heath.asp ^[9]

"Sir Robert Heath (1575-1649)." Library, St. John's College. University of Cambridge. http://www.joh.cam.ac.uk/library/special_collections/early_books/pix/provenance/heath/heath.htm ^[10] (accessed October 15, 2013).

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[Dictionary of North Carolina Biography, University of North Carolina Press.](#) ^[16]

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