

## **Holden (Holding), Robert** <sup>[1]</sup>

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by Mattie Erma E. Parker, 1988

#### **Fl. 1671–1709**

Robert Holden (Holding), Council member, secretary, customs collector, receiver general, and escheator, was identified in January 1678/79 as a "Merchant Lately belonging to Virginia and now bound for the County of Albemarle <sup>[2]</sup> in the Province of Carolina." Holden was then in London, where he would soon receive commissions for several offices in Albemarle.

Although his known association with the northern Carolina colony began in 1679, he may have lived in Albemarle briefly about 1671. In a letter dated 5 Sept. 1671, the Lords Proprietors <sup>[3]</sup> directed Albemarle officials to grant Holden a certain tract of land that he wanted unless another had prior right. They also directed the officials to permit Holden to explore Indian territory and trade with the Indians for the purpose of discovering a land route between Albemarle and the South Carolina colony on Ashley River. Holden, who was then in London, was given the letter and other papers to bring to Albemarle. Presumably he delivered the documents after 11 Dec. 1671, when he was in Virginia en route to Albemarle. It is not known whether he then lived in the Carolina colony, as his request for a particular plot of land suggests, or whether he remained there after delivering the papers from London. If so, his stay was temporary, for he was living in Virginia in 1676 and apparently had done so for some time.

In the Virginia disturbance of 1676 known as Bacon's Rebellion <sup>[4]</sup>, Holden was one of "the most eminent Rebels." Subsequently he was called to testify before a commission sent by the Crown to investigate the governor's handling of the uprising. The Virginia Assembly, in granting a general pardon to participants in the rebellion, in February 1676/77, excepted Holden and other "great offenders" from the pardon. By an act "inflicting pains and penalties" on those excluded from pardon, the assembly fined Holden 5,000 pounds of tobacco and ordered his imprisonment until he gave security for payment of the fine and for his future good behavior. No doubt his leaving Virginia was prompted by his situation after the rebellion. Within two years after the order for his arrest, he was in London arranging for his appointment to offices in Albemarle.

The Albemarle positions that Holden obtained were lucrative and carried substantial power. His governmental posts included that of customs collector, conferred by Crown <sup>[5]</sup> officials, and the offices of Council member, secretary, receiver general, and escheator, conferred by the Proprietors. In addition, the Proprietors commissioned him to receive on their behalf all wrecks, ambergris, and other "ejections of the sea" to which they were entitled by their charter. All of those posts provided remuneration, either in the form of fees or as a percentage of the funds handled. Moreover, the Proprietors themselves now commissioned Holden to explore Indian territory and to command all military forces involved in the venture. That authorization afforded him opportunity to engage in the extremely profitable trade with the piedmont and mountain Indians.

In early June 1679 Holden arrived in Boston, where he remained about two weeks before proceeding to Albemarle. From Boston he sent to customs officials in London an account of fraudulent practices of New England traders in Albemarle tobacco and other common violations of English trade laws. Although he professed to have obtained such information for the benefit of the Crown, later events would show that knowledge of the mechanics of fraud in the colonial trade could be useful in promoting his own interests.

Holden reached Albemarle in mid-June, bringing commissions and instructions for John Harvey <sup>[6]</sup>, whom the Proprietors had appointed acting governor, and for other Council members, as well as his own commissions. By November the new government had been organized and, as his commissions provided, Holden was taking a prominent role in it. His power was further strengthened at the end of the year by Harvey's death and the appointment by the Council of an acting governor to fill the vacancy. Holden now had the prestige of being the only important official who had been directly appointed by the Proprietors. Moreover, the recently chosen acting governor, the aged John Jenkins <sup>[7]</sup>, owed his position in part to Holden.

Despite the opportunities for legitimate financial gain afforded by his various offices, Holden lost little time in putting to use the information he had obtained on fraudulent practices in the colonial trade. Soon after his arrival he challenged the authority of his fellow customs official, Timothy Biggs <sup>[8]</sup>, who held a commission as surveyor of customs from Crown officials. Claiming that he, as collector of customs, had sole authority to enforce trade laws, Holden undertook to prevent Biggs from performing his assigned duties. Those duties included the inspection of vessels entering Albemarle, in order to discover and seize any articles imported unlawfully, and, when the vessel was ready to depart, the issuance of clearance papers certifying compliance with customs and other laws. Holden in effect nullified Biggs's authority by ordering shipmasters not to permit Biggs or his assistants to board their vessels and by having the assistants arrested and held in prison without bail when they attempted to perform their duties despite his orders. Meanwhile, Holden appears to have

used the power of inspecting and clearing vessels, properly belonging to Biggs, as a weapon held over the heads of shipmasters. By some such means he forced shipmasters to take on board rotten and trashy tobacco for shipment as customs collections, at financial loss to themselves, and to turn a blind eye on other questionable actions, such as placing Holden's mark on tobacco collected as customs duties and having it shipped and sold for his own benefit.

Biggs protested Holden's obstructionist activities, both to Albemarle officials and to the London customs office, but without avail. Holden's ascendancy over the Albemarle government was such that in March 1680 the Council, sitting as the General Court, suspended Biggs's commission and authorized Holden to officiate in his stead. London officials ignored the protests until July 1681, when they replaced Holden as customs collector.

By the summer of 1681, however, the Albemarle colonists had delivered themselves from Holden's domination. At some date in the winter or spring Holden was arrested and placed in the custody of the marshal, probably on order of the Council or the Assembly. The particular charges are not known, but there is evidence of many that could have been the basis for his arrest. According to an extant collection of twenty depositions by prominent colonists, Holden had committed numerous crimes. Among his alleged offenses were the arbitrary valuation of tobacco <sup>[9]</sup>, in which customs duties usually were paid, so that the duties amounted to two pounds of tobacco for each pound shipped; forcing, by threats and other means, the lading of rotten and trashy tobacco despite the fact that shipmasters could not collect freight charges on its delivery and the crews involved could not collect wages; mismarking tobacco collected as customs and having it shipped on his own account; public expression of contempt for the acting governor and other officials; illegal alteration of the text of an act of the Assembly left in his custody; appropriation of ammunition placed in his custody for the public defense; the issuance of illegal orders for the arrest of colonists, holding them in prison without bail, and subjecting them to abuse; and intimidating a grand jury and securing indictments by threats, without presenting any evidence against the accused except his own word.

It is not known whether Holden was brought to trial. The existing depositions appear on their face to have been testimony presented in such a trial, and the text of some indicates that they were so presented. In others, however, internal evidence suggests that the depositions may have been assembled as evidence to be sent to London to justify whatever action the colony had taken. It is likely that a formal trial was not needed to persuade Holden to leave Albemarle, which he did, either voluntarily or under sentence of banishment. The date of his departure, like the circumstances, is uncertain. He is not named as a Council member in extant documents after March 1680/81.

Little is known about Holden after he left Albemarle, although he appears to have taken to seafaring as master of a small trading vessel. Despite his record in Albemarle, he continued to have influence with the Carolina Proprietors, or at least some of them. In 1707 he sought appointment as governor of the Bahama Islands, which were owned by six of the eight Proprietors of Carolina. He stated that he sought that appointment in order to benefit from the commission earlier given him to handle wrecks, ambergris, and other "ejections of the sea" for the Proprietors. On 20 May 1707 the Proprietors of the Bahamas requested the Board of Trade <sup>[10]</sup> and Plantations to approve the appointment of Holden as governor. During the board's consideration of the request, indirect inquiries concerning Holden were made of John Archdale <sup>[11]</sup>, whose Proprietorship in Carolina did not include an interest in the Bahamas. The board was informed that Archdale had said that he knew Holden well in Albemarle and that he "related a very slender carrector" of Holden and indicated that Holden was "no wayes qualified for the meanest Post in the Government." Although at one stage the board appears to have been inclined to approve the appointment, its final action is not known. Whatever the fate of the appointment, Holden appears not to have officiated as governor of the Bahamas.

Holden's contacts with the Proprietors continued at least until 1709. In July of that year he attended a meeting of the Proprietary Board and was given certain papers "to Peruse." The nature of his business on that occasion is not given in extant records. No later reference to Holden has been found except a statement in records of the Council of Trade and Plantations, dated 25 July 1720, reporting that he did not go as governor to the Bahamas. Whether he was then alive was not indicated.

Available sources shed no light on Holden's marital status or other personal affairs.

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