

residence of any definite length of time in the district to be represented, and it was considered that an appointee from one district might qualify for another by mere removal to the new district. Nicholson's commission, made out on March 26, 1806, was addressed to him as "of Queen Anne's County." And it may be appropriate to note here that John Johnson and John Stephen, who became, in succession, chief judges of the first district, filling the office from 1811 to 1844, were both residents of Annapolis, in the Third District, when appointed, but each on his appointment removed to Prince George's County.

Adams states<sup>11</sup> that President Jefferson appointed Nicholson to the bench of the federal Circuit Court, as a means of isolating Randolph and depriving him of his power. There was a vacancy in the position of Judge of the United States District Court, caused by the death of Judge James Winchester on April 5, 1806, and it is conceivable that the President may have offered that place to Nicholson, but hardly before Nicholson had decided to accept the state appointment. On April 9, a letter from him resigning his seat in Congress was read to the House by the Speaker. "I was not in the House when your letter to the Speaker was read", wrote Randolph,<sup>12</sup> "but I got it from Beckly and paid it the willing tribute of my tears. God bless you, Nicholson." And a week later he wrote,<sup>13</sup> "Do not, I beg of you, deny me the pleasure of contemplating your present

11. Adams, *History of the United States, 1801 to 1817*, III, 167.

12. Nicholson Papers.

13. *Ibid.*