

retirement as merely temporary." Nicholson removed to Baltimore and lived there until his death in 1817. After the death, on October 9, 1806, of Robert Purviance, Collector of the Port of Baltimore, the President offered Judge Nicholson that position, which would have paid him more than he received as judge, but the judge declined it. He wrote to the President:<sup>14</sup>

The office which I now hold is, indeed, a laborious one, and the compensation totally inadequate to the service when it is considered in connection with the place to which my residence is confined by law. But it is one, while it gives me employment, places me in one of the most dignified stations under the government of my native state.

He became the first president of the Commercial and Farmers' Bank of Baltimore in 1810; in the war of 1812, raised and commanded a battery or company of artillery; was at Bladensburg, and at Fort McHenry during the bombardment; and he has gained some posthumous mention from the fact that he caused the publication of Francis Scott Key's verses, the "Star Spangled Banner." Key and Judge Nicholson had married sisters.

Richard Sprigg, who had accepted the appointment as Chief Judge of the first district, left vacant by Gabriel Duvall's refusal, died two months after his appointment, without having qualified for the office, and in his place John Mackall Gantt, of Prince George's County, who had been appointed an associate judge of the district, was elevated to the position of Chief Judge.

Finally, then, the chief judges of all the districts, and judges of the Court of Appeals, ap-

14. Nicholson Papers, vol. 7, undated.